

WORKSHOP

Te Maru o Kaituna River Authority

Feedback on draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement

Friday, 26 June 2020

Commencing at 10:00 am

Regional House Chambers, 1 Elizabeth Street,
Tauranga and via Zoom (Audio Visual Meeting)

Te Maru o Kaituna River Authority is a co-governance partnership made up of iwi representatives from Tapuika Iwi Authority Trust, Te Kapu Ō Waitaha, Te Pumautanga o Te Arawa Trust, Te Tāhuhu o Tawakeheimoa Trust, Ngāti Whakaue, and council representatives from the Bay of Plenty Regional Council Toi Moana, Rotorua Lakes Council, Western Bay of Plenty District Council and Tauranga City Council. It is a permanent joint committee of the four councils.

The purpose of Te Maru o Kaituna is the restoration, protection, and enhancement of the environmental, cultural and spiritual health and well-being of the Kaituna River and its tributaries.



Te Maru
o Kaituna



Te Maru
o Kaituna

Te Maru o Kaituna River Authority Workshop – Feedback on draft Proposed Change 5 to the Regional Policy Statement

Friday, 26 June 2020

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PRESENTATION

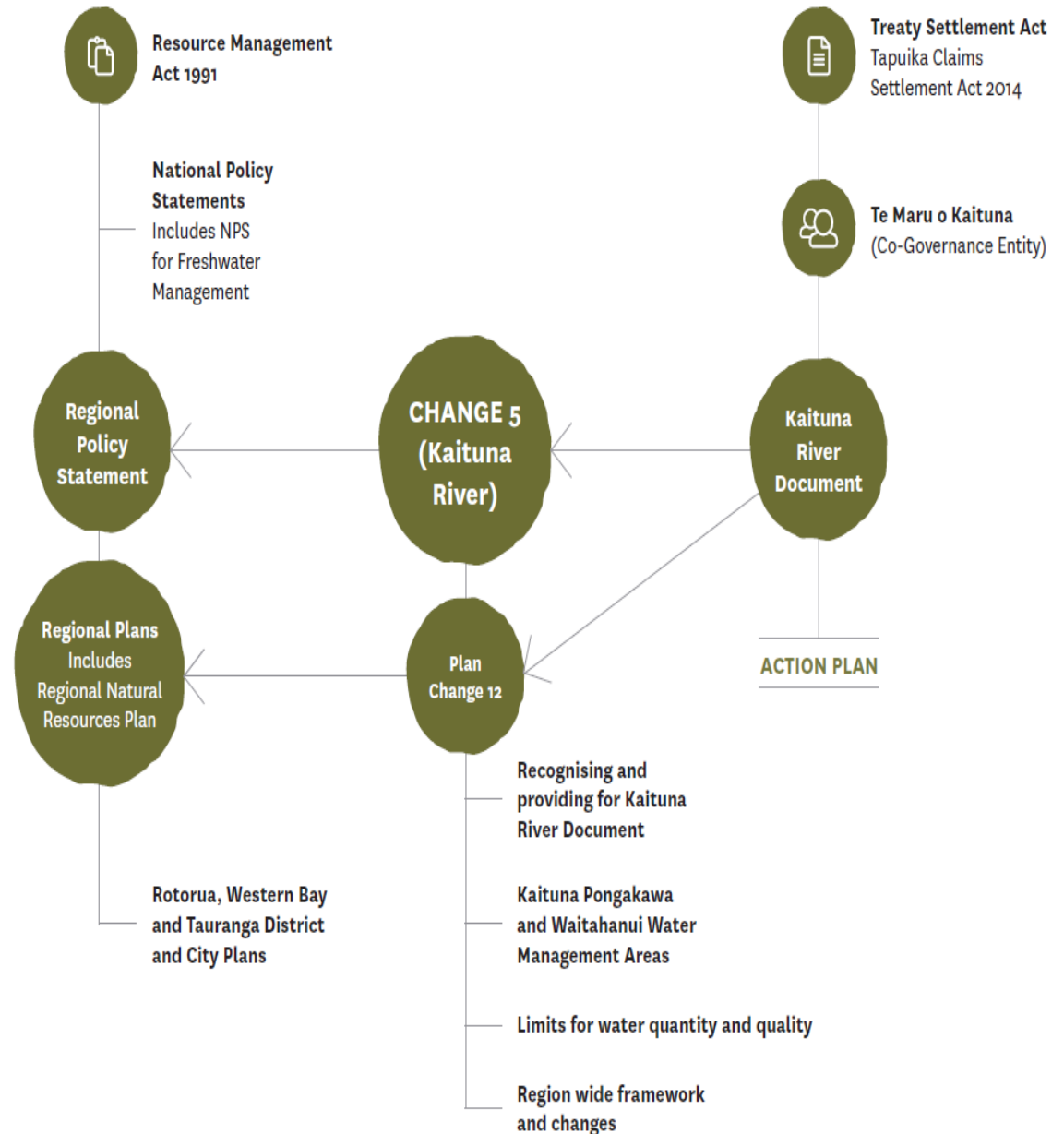
Change 5 (Kaituna River) to the RPS

Nassah Steed, Principal Advisor, Toi Moana

Te Maru o Kaituna

26 June 2020

River Doc



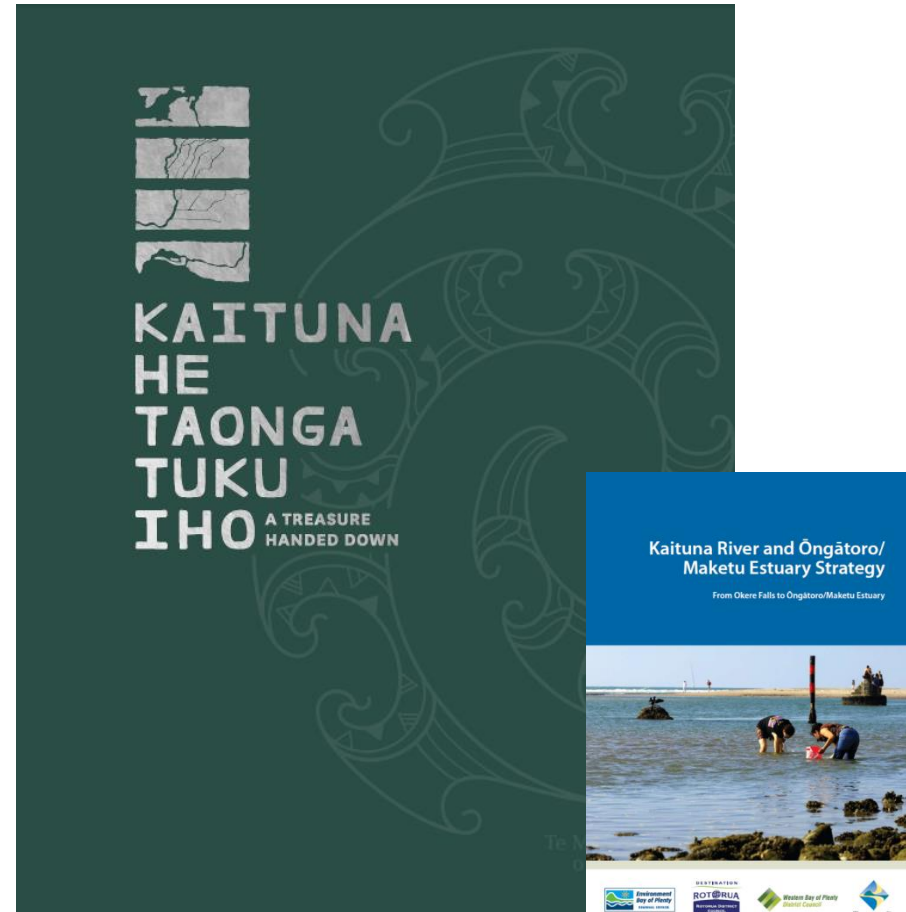
THE KAITUNA RIVER DOCUMENT

Came into effect 1 August 2018

PURPOSE

Promotes the restoration, protection and enhancement of the well-being of the Kaituna River and its tributaries

- Replaces & builds on the 2009 Strategy
- Influences RMA & LGA2002 matters
- Vision, objectives & desired outcomes
(no rules)





National Policy Statements
Issued by the Minister for the Environment
- optional

NZ Coastal Policy Statement
Issued by the Minister of Conservation
- compulsory

RPS Change 5

REGIONAL POLICY STATEMENT
Prepared by Bay of Plenty Regional Council
- compulsory

Regional Plans
Prepared by Bay of Plenty Regional Council
- optional

Regional Coastal Plan
Prepared by Bay of Plenty Regional Council
- compulsory

Freshwater change to the Regional Natural Resources Plan Change 12 WMA process

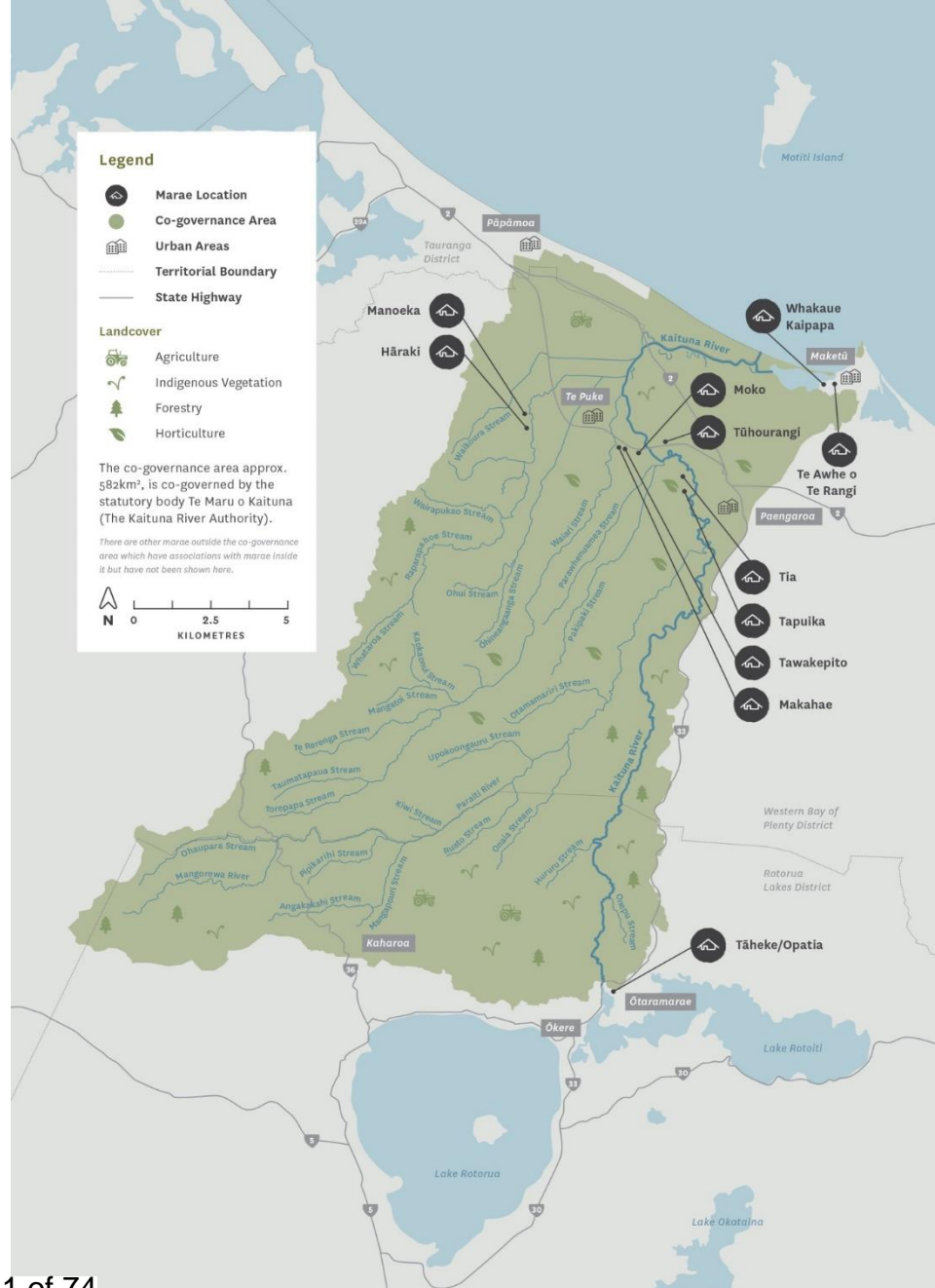
District Plans
Prepared by Tauranga City Council, Opotiki, Rotorua, Taupo, Western Bay of Plenty, Kawerau and Whakatane District Councils
- compulsory

62900-3049



Te Maru o Kaituna Co governance area: Lower Kaituna catchment

‘Kaituna River’ means the Kaituna River and all of its tributaries within the Kaituna co-governance framework area



Significant issues

Nine River Doc issues (pg 13 Kaituna River Doc) distilled to 6:

1. High water demand
2. Urban growth, climate change, land use and development pressures on River and wetlands
3. Declining water quality and impacts on popular swimming spots
4. Drainage scheme impacts
5. Tangata whenua disconnected with Kaituna River
6. Health of Maketū Estuary



Kaituna River Doc in translation

- 7 Objectives in Proposed Change 5
- Objective 2 = Method KR1 Kaituna Action Plan
- 9 Kaituna River policies
- 6 Kaituna River methods of implementation
- 5 Existing Co-Governance Rangitāiki River methods broadened to encompass Kaituna River catchment



Kaituna River Doc - Objective 1

The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are provided for, recognised and protected.

Proposed Change 5 - Objective 40

The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised and provided for.



Kaituna River Doc - Objective 2

Iwi-led projects which restore, protect and / or enhance the Kaituna River are actively encouraged, promoted and supported by Te Maru o Kaituna through its Action Plan.

Proposed Change 5 – no equivalent

Toi Moana staff consider no equivalent RPS objective is required. A new Kaituna Action Plan method is proposed which mirrors the approach for the Rangitāiki River change to the RPS.



Kaituna River Doc - Objective 3

Water quality and the mauri of the water in the Kaituna River are restored to a healthy state and meet agreed standards.

Proposed Change 5 – Objective 41

Water quality and the mauri of the water in the Kaituna River and its tributaries is restored to a healthy state which meets agreed standards.



Kaituna River Doc - Objective 4

There is sufficient water quantity in the Kaituna River to:

- a. support the mauri of rivers and streams:
- b. protect tangata whenua values:
- c. protect ecological values:
- d. protect recreational values.

Proposed Change 5 – Objective 42

There is sufficient water quantity in the Kaituna River to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.



Kaituna River Doc - Objective 5

Water from the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities, now and for future generations.

Proposed Change 5 – Objective 43

Water in the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities now and for future generations



Kaituna River Doc - Objective 6

The environmental well-being of the Kaituna River is enhanced through improved land management practices.

Proposed Change 5 – Objective 44

The environmental well-being of the Kaituna River is enhanced through best management practices.

1 new policy and 7 methods

4 new methods

3 existing Rangitāiki River methods broadened to include Kaituna River



Kaituna River Doc - Objective 7

Ecosystem health, habitats that support indigenous vegetation and species, and wetlands within the Kaituna River are restored, protected and enhanced.

Proposed Change 5 – Objective 45

The restoration, protection and enhancement of Kaituna River's wetlands, aquatic and riparian ecosystem health and habitats that support indigenous vegetation and species.



Kaituna River Doc - Objective 8

Te Maru o Kaituna in collaboration with Iwi and the wider community, enable environmental, economic, social, educational and cultural aspirations the restoration, protection and enhancement of the Kaituna River.

Proposed Change 5 – Objective 46

Te Maru o Kaituna collaborate with iwi and the wider community to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.



Policy Framework Examples

<p>Objective 44</p> <p><u>The environmental well-being of the Kaituna River is enhanced through best management practices.</u></p>	<p>Policy KR 5B: Enhance the mauri of the Kaituna River through best management practices</p>	<p>Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans</p>	<p>Regional council.</p>
	<p>Policy WL 1B: Enabling land use change</p>	<p>Method KR1: Te Tini a Tuna Kaituna Action Plan</p>	<p>Regional council, district councils and iwi authorities</p>
	<p>Policy WL 7B: Minimising the effects of land and soil disturbance</p>	<p>Method KR4: Identify and map sites of cultural significance</p>	<p>Iwi authorities</p>
	<p>Policy WL 8B: Providing for regular reviews of regional council consent conditions</p>	<p>Method KR5: Provide information on integrating kaitiakitanga and rangatiratanga into land use management</p>	<p>Iwi authorities</p>
		<p>Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River Catchment</p>	<p>Regional Council, district councils and iwi authorities</p>
		<p>Method 23J: Develop strategies for managing wastewater and stormwater in the Rangitaiki and Kaituna River catchments</p>	<p>City and district councils</p>
		<p>Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitaiki and Kaituna River catchments</p>	<p>Regional Council, district councils and iwi authorities</p>
		<p>Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitaiki and Kaituna River catchments</p>	<p>Regional Council, district councils and iwi authorities</p>
		<p>Method 12: Take into account iwi and hapu management plans in assessments of environmental effects.</p>	<p>Regional council, city and district councils</p>
		<p>Method 27: Provide information about sustainable land management practices</p>	<p>Regional council</p>
		<p>Method 34: Take a whole of catchment approach to the management of natural and physical resources</p>	<p>Regional council and city and district councils</p>
		<p>Method 35: Integrated Catchment Management Plans</p>	<p>Regional Council</p>
		<p>Method 41: Promote consultation with potentially affected tangata whenua</p>	<p>Regional council, city and district councils</p>
	<p>Method 42: Evaluate matters of significance to tangata whenua</p>	<p>Regional council, city and district councils</p>	



Objective 44 Policy Framework

1 new Kaituna River policy and 3 operative Water Quality policies

Policy KR 5B: Enhance the mauri of the Kaituna River through best management practices

Policy WL 1B: Enabling land use change

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

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



Objective 44 Policy Framework cont

4 new Kaituna River methods and 3 existing Co-governance Rangitāiki River methods

Method KR1: Te Tini a Tuna Kaituna Action Plan

Method KR4: Identify and map sites of cultural significance

Method KR5: Provide information on integrating kaitiakitanga and rangatiratanga into land use management.

Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River Catchment.

Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitāiki and Kaituna River catchments.

Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitāiki and Kaituna River catchments



Objective 45 Policy Framework

1 new Kaituna River policy, 2 operative Matters of National Importance policies, 2 new Kaituna River methods, 8 existing operative methods

Policy KR 6B: Provide for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats

Method KR1: Te Tini a Tuna Kaituna Action Plan

Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River Catchment.



Kaituna River Policies

Policy KR 1B: Recognise and provide for traditional and contemporary iwi and hapū relationships with Kaituna River

Policy KR 2B: Establishing water quality limits within the Kaituna River

Policy KR 3B: Using Mātauranga Māori to inform resource management decision making in the Kaituna River

Policy KR 4B: Managing groundwater abstraction in the Kaituna River.

Policy KR 5B: Enhancing the mauri of the Kaituna River through best management practices

Policy KR 6B: Providing for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats

Policy KR 7B: Enabling economic development opportunities for iwi and hapu in the Kaituna River

Policy KR 8B: Enabling recreational activities along the Kaituna River

Policy KR 9B: Recognising kaitiakitanga in the Kaituna River involves use, development and protection



Next Steps

- June – July: Consult TMoK & independent advisor
- 26 June: TMoK workshop – receive feedback/comments
- 11 August: S&P Committee consider TMoK feedback
- 28 August: TMoK hui – update & any changes recommended
- Sept – Oct: Broader iwi/stakeholder/community consultation
- 3 Nov: S&P Committee approve for public notification
- Dec: Schedule 1 submissions process commences



Workshop Papers



26 June 2020
Te Maru o Kaituna Workshop Version 2.5c

Draft Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

TE MARU O KAITUNA CONSULTATION VERSION 2.4c

**This version is to be presented for a workshop with Te Maru o
Kaituna members on Friday 26 June 2020**

Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158
New Zealand

Note to Reader (not part of Change)

What this Change does

The Kaituna River provisions set out in the following pages are to be inserted into the Bay of Plenty Regional Policy Statement. Provisions to be inserted are underlined; provisions to be deleted are ~~struck through~~.

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 Kaituna objectives and those are set out in Table 10c of Part Two, along with the proposed new Kaituna River provisions.

The references in Table 10c 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 5 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 5 and are therefore open for submissions.

Council has not included the operative RPS provisions in Part Three of Proposed Change 5. 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 10c is to set out the objectives as well as the policies and methods that contribute to achieving the objectives. For the avoidance of doubt, the provisions in Table 10c are not the only provisions that will apply in the Kaituna River. These will need to be read and applied alongside all other RPS provisions. Where a conflict exists between any Kaituna River specific provisions and region wide provisions, the Kaituna River 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 Rangitāiki - Pathways of the Rangitāiki, and Kaituna He Taonga Tuku Iho – a treasure handed down, the approved River documents ~~that was~~ prepared under the treaty settlement legislation. ~~These~~ documents includes detail of the historical association each iwi has to its ancestral awa and/or moana (waterbodies)

.....

2.12.3 Kaituna River

The Tapuika Claims Settlement Act (2014) established Te Maru o Kaituna River Authority (TMoK). Te Maru o Kaituna is made up of iwi representatives from Tapuika Iwi Authority Trust, Te Kapu o Waitaha, Te Pumautanga o Te Arawa Trust, Te Tāhuhu o Tawakeheimoa Trust, Te Komiti Nui o Ngati Whakaeue and representatives from the Bay of Plenty Regional Council Toi Moana, Rotorua Lakes Council, Western Bay of Plenty District Council and Tauranga City Council.

Te Maru o Kaituna developed and approved 'Kaituna, He Taonga Tuku Iho – a treasure handed down' (the "Kaituna River Document"). The moemoeā or vision for the Kaituna River Document is:

"E ora ana te mauri o te Kaituna, e tiakina ana hoki mō ngā whakatupuranga o nāianei, o muri nei hoki" – 'The Kaituna River is in a healthy state and protected for current and future generations'.

The Kaituna River Document is a signpost for local government, iwi, the wider community, including river users to collaborate in achieving this vision.

The Bay of Plenty Regional Policy Statement must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document to the extent its contents relate to the resource management issues of the region.

In the context of this Policy Statement references to the Kaituna River includes all rivers and streams flowing into the Kaituna River and Maketū estuary identified in Map 4ab. In total, there are approximately 1,197 kilometres of waterways in the Kaituna River catchment.

2.12.4 Significant Issues affecting the Kaituna River and its tributaries

1 Water demand is high and could pose a risk for springs and surface water bodies

Current consented allocation exceeds water quantity limits in several sub-catchments of the Kaituna River and its tributaries and also in parts of the underlying groundwater resource. Increasing water demand particularly for agriculture, horticulture, industrial and municipal uses signals a need to assign and manage uses within surface and groundwater limits to provide for key values of these water bodies and springs associated with them. Water demand is particularly high in the lower Kaituna River catchment. Projected urban population growth in Te Puke and Te Tumu will place increased demand on water in the lower Kaituna.

2 Urban growth, climate change, land use intensification and development

Land use intensification and development, urban growth and climate change effects are all placing pressure on the ability to restore, protect and enhance the state of the Kaituna River and wetland habitats.

3 Water quality is declining and is not always suitable for swimming in locations people wish to swim

Trends over time show nutrient discharges are increasing which is a significant contributor to declining water quality in the Kaituna River and its tributaries including Maketū Estuary. Popular swimming spots

are not always swimmable due to poor water quality from e-coli.

4 Drainage scheme impacts

Mahinga kai, ecosystem health and natural character values are being impacted by drainage scheme modifications especially in the lower Kaituna River area.

5 Tangata whenua have become disconnected with the Kaituna River

Traditionally tangata whenua had strong connections with the Kaituna River but these spiritual and physical relationships with their awa tupuna have become increasingly strained over time. Iwi seek opportunities to restore these connections and the well being of their people, especially rangatahi (younger generations).

6 Health of the Maketu Estuary.

Ecological health, mahinga kai, cultural and recreational values are significantly degraded in the Maketu estuary. Declining water quality reaching the Kaituna River and its tributaries is contributing to the degraded ecosystem health in the Maketu estuary. Reduction of contaminants, nutrients, sediment and bacterial inputs from the catchment are necessary to improve the health of the estuary.

Applying the Kaituna River provisions

The Kaituna River objectives, policies and methods set out in Table 10c only apply to the Kaituna River co-governance area identified in Map 4ab below (source OTS-209-79 - Office of Treaty Settlements). These provisions should be read along with other region wide provisions.

Map 4ab Kaituna River Catchment

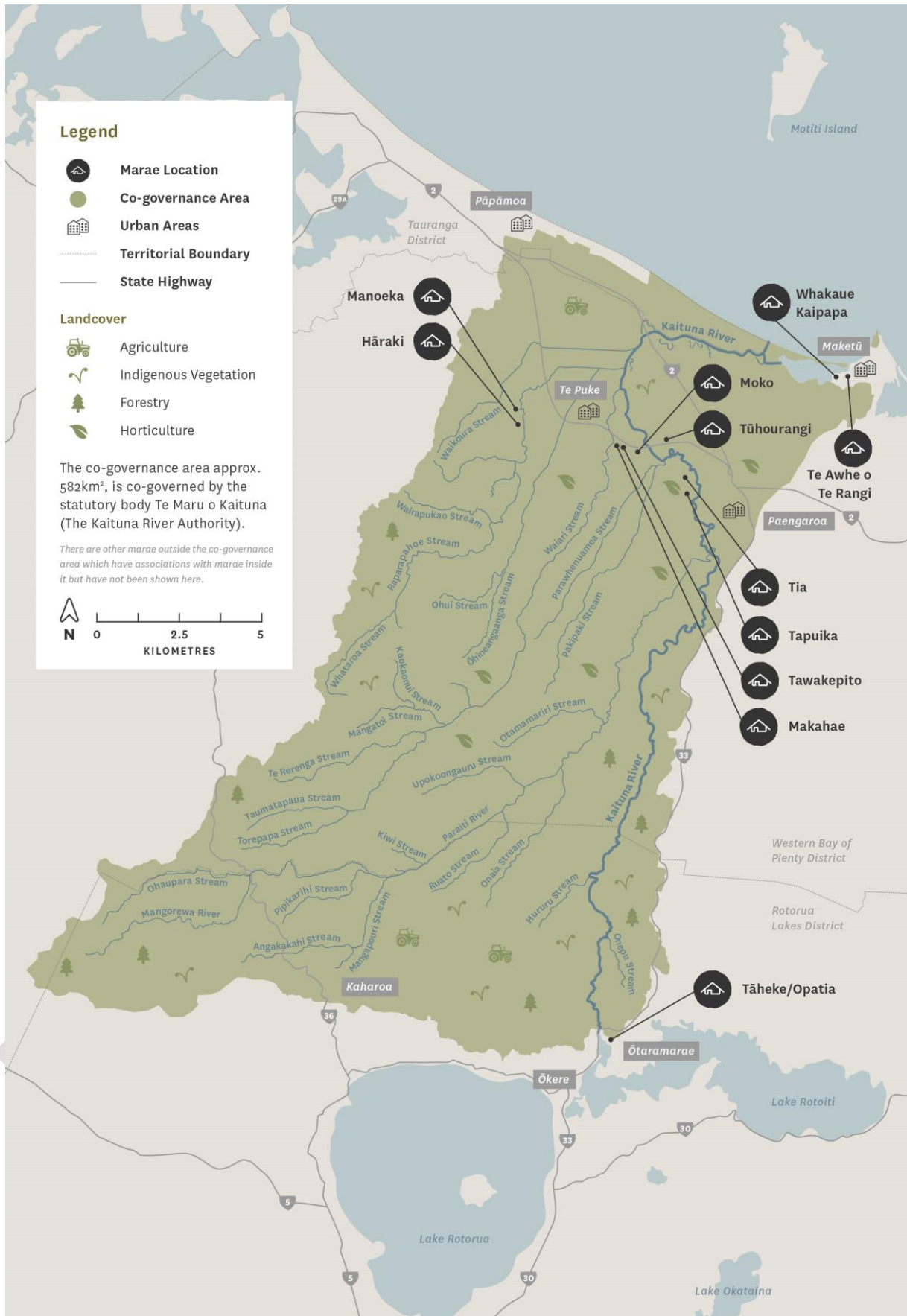


Table 10c Kaituna River – objectives and titles of policies and methods to achieve the objectives

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
<p>Objective 40</p> <p><u>The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised and provided for.</u></p>	<p><u>Policy KR 1B: Recognise and provide for traditional and contemporary iwi and hapū relationships with Kaituna River</u></p>		<p>Method 3: Resource consents, notices of requirement and when changing, varying reviewing or replacing plans.</p>	<p><u>Regional Council, district and city councils.</u></p>	
	<p>Policy IW 2B: Recognising matters of significance to Māori</p>		<p><u>Method KR1: Te Tini a Tuna Kaituna Action Plan</u></p>	<p><u>Regional council, district councils and iwi authorities*</u></p>	
	<p>Policy IW 1B: Enabling development of multiple-owned Māori land</p>		<p><u>Method KR2: Erect pou or other cultural markers along Kaituna River</u></p>	<p><u>Regional council, city and district councils and iwi authorities*</u></p>	
			<p>Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitāiki River catchment and Kaituna River</p>	<p>Regional Council, district councils and iwi authorities</p>	
			<p>Method 11: Recognise statutory acknowledgement areas</p>	<p>Regional council, city and district councils</p>	
			<p>Method 12: Take into account iwi and hapū resource management plans in assessments of environmental effects</p>	<p>Regional council, city and district councils</p>	
			<p>Method 34: Take a whole of catchment approach to the management of natural and physical resources</p>	<p>Regional council, city and district councils and iwi authorities</p>	
			<p>Method 41: Promote consultation with potentially affected tangata whenua</p>	<p>Regional council, city and district councils</p>	
			<p>Method 42: Evaluate matters of significance to tangata whenua</p>	<p>Regional council, city and district councils</p>	
			<p>Method 53: Research and monitor the effects of discharges</p>	<p>Regional Council</p>	

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
<p>Objective 41</p> <p><u>Water quality and the mauri of the water in the Kaituna River and its tributaries is restored to a healthy state which meets agreed standards.</u></p>	<p><u>Policy KR 2B: Establishing water quality limits within the Kaituna River</u></p>		Method 2: Regional plan implementation	Regional Council	
			Method 3: Resource consents, notices of requirement and when changing, varying reviewing or replacing plans	Regional council, District and city councils	
			Method KR1: : Te Tini a Tuna Kaituna Action Plan	<u>Regional council, district councils and iwi authorities</u>	
			Method KR3: Identify locations for safe contact recreation in the Kaituna River	<u>Te Maru o Kaituna and iwi authorities</u>	
			Method 23I: Develop environmental flow and catchment load limits in the Rangitāiki River catchment and Kaituna River	Regional Council	
			Method 12: Take into account iwi and hapu resource management plans in assessments of environmental effects.	Regional council, District and city councils	
<p>Objective 42</p> <p><u>There is sufficient water quantity in the Kaituna River to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.</u></p> <p>Objective 43</p> <p><u>Water in the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of</u></p>	<p><u>Policy KR 3B: Using Matauranga Māori to inform resource management decision making</u></p> <p><u>Policy KR 4B: Managing groundwater abstraction in the Kaituna River.</u></p> <p><u>Policy KR 9B: Recognising kaitiakitanga in the Kaituna River involves use, development and protection</u></p> <p><u>Policy IW 2B: Recognising matters of significance to Māori</u></p>		Method 2: Regional Plan implementation.	Regional Council	
			Method 23I: Develop sustainable environmental flow and catchment load limits in the Rangitāiki River catchment and Kaituna River	Regional Council	
			Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitāiki River catchment and Kaituna River	Regional Council, district councils and iwi authorities	
			Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River	<u>Regional council, district and city councils and iwi authorities</u>	
			Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans.	Regional Council and district councils.	

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.	
<u>iwī, hapū and communities now and for future generations</u>			Method 11: Recognise statutory acknowledgement areas.	Regional Council and district councils.		
			Method 30: Research and monitor water allocation and abstraction	Regional Council		
			Method 32: Prepare and provide information to reduce water demand	Regional Council		
			Method 42: Evaluate matters of significance to tangata whenua.	Regional Council and district councils.		
			Method 43: Promote the enhancement of mauri	Regional Council and district councils.		
			Method 46: Consider the necessity of consulting potentially affected tangata whenua during consent processing.	Regional Council and district councils.		
	Policy WQ 2A: Setting and applying instream flows and allocation limits for taking freshwater. Policy WQ 3B: Allocating water.			Method 2: Regional Plan implementation.	Regional Council	
				Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans.	Regional Council and district council.	
				Method 30: Research and monitor water allocation and abstraction.	Regional Council	
	Objective 44 <u>The environmental well-being of the Kaituna River is enhanced through best management practices.</u>	Policy KR 5B: Enhancing the mauri of the Kaituna River through best management practices		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional council.	
Policy WL 1B: Enabling land use change			Method KR1: Te Tini a Tuna Kaituna Action Plan	Regional council, district councils and iwi authorities		
Policy WL 7B: Minimising the effects of land and soil disturbance			Method KR4: Identify and map sites of cultural significance in the Kaituna River	Iwi authorities		

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
	Policy WL 8B: Providing for regular reviews of regional council consent conditions		<u>Method KR5: Provide information on integrating kaitiakitanga and rangatiratanga into land use management in the Kaituna River</u>	<u>Iwi authorities</u>	
			<u>Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River</u>	Regional Council, district councils and iwi authorities	
			Method 23J: Develop strategies for managing wastewater and stormwater in the Rangitāiki River catchment and Kaituna River	<u>City and district councils</u>	
			Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitāiki River catchment and Kaituna River	Regional Council, district councils and iwi authorities	
			Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitāiki River catchment and Kaituna River	<u>Regional Council, district councils and iwi authorities</u>	
			Method 12: Take into account iwi and hapu management plans in assessments of environmental effects.	Regional council, city and district councils	
			Method 27: Provide information about sustainable land management practices	Regional council	
			Method 34: Take a whole of catchment approach to the management of natural and physical resources	Regional council and city and district councils	
			Method 35: Integrated Catchment Management Plans	Regional Council	
			Method 41: Promote consultation with potentially affected tangata whenua	Regional council, city and district councils	
			Method 42: Evaluate matters of significance to tangata whenua	Regional council, city and district councils	

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
<p>Objective 45</p> <p><u>The restoration, protection and enhancement of Kaituna River's wetlands, aquatic and riparian ecosystem health and habitats that support indigenous vegetation and species.</u></p>	<p><u>Policy KR 6B: Providing for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats</u></p>		<p>Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans</p>	<p>Regional Council and district councils.</p>	
	<p>Policy MN 2B: Giving particular consideration to protecting significant indigenous habitats and ecosystems</p>		<p>Method KR1: Te Tini a Tuna Kaituna Action Plan</p>	<p>Regional council, district councils and iwi authorities</p>	
	<p>Policy MN 4B: Encouraging ecological restoration.</p>		<p>Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River</p>	<p>Regional council, district and city councils and iwi authorities</p>	
			<p>Method 26: Facilitate and support community based ecological restoration programmes.</p>	<p>Regional Council and district councils.</p>	
			<p>Method 27: Provide information about sustainable land management practices.</p>	<p>Regional Council and district councils.</p>	
			<p>Method 39: Promote coordination among conservation management agencies.</p>	<p>Regional Council and district councils.</p>	
			<p>Method 49: Improve biodiversity values of open spaces.</p>	<p>Regional Council and district councils.</p>	
			<p>Method 55: Identify priority ecological corridors and buffers.</p>	<p>Regional Council and district councils.</p>	
			<p>Method 64: Encourage agencies and landowners to protect key sites.</p>	<p>Regional Council and district councils.</p>	
			<p>Method 65: Advocate to establish reserves.</p>	<p>Regional Council and district councils.</p>	
<p>Objective 46</p> <p><u>Te Maru o Kaituna collaborate with iwi and the wider community to</u></p>	<p><u>Policy KR 7B: Enabling economic development opportunities for iwi and hapu in the Kaituna River</u></p>		<p>Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans</p>	<p>Regional council, city and district councils</p>	

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
<u>enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.</u>	<u>Policy KR 8B: Enabling recreational activities along the Kaituna River</u>		<u>Method KR1: Te Tini a Tuna Kaituna Action Plan</u>	<u>Regional Council, district councils and iwi authorities</u>	
			<u>Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River</u>	<u>Regional council, district and city councils and iwi authorities</u>	
			<u>Method KR2: Erect pou or other cultural markers along Kaituna River</u>	<u>Regional council, district councils and iwi authorities</u>	
			<u>Method KR3: Identify locations for safe contact recreation in the Kaituna River</u>	<u>Te Maru o Kaituna and iwi authorities</u>	
			<u>Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitāiki River catchment and Kaituna River</u>	<u>Regional Council, district councils and iwi authorities</u>	
			<u>Method 11: Recognise statutory acknowledgement areas</u>	<u>Regional council, city and district councils</u>	
			<u>Method 47: Collaborate on matters of shared interest</u>	<u>Regional council, city and district councils</u>	
			<u>Method 48: Consider appointing pūkenga to hearing committees</u>	<u>Regional council, city and district councils</u>	
		<u>Method 72: Support industry led environmental accords, guidelines and codes of practice</u>	<u>Regional council</u>		
	<u>Policy IW 7D: Cultivating partnerships between iwi and statutory management agencies.</u>		<u>Method 9: Provide information to address matters of common interest</u>	<u>Regional council, city and district councils</u>	
			<u>Method 11: Recognise statutory acknowledgement areas</u>	<u>Regional council, city and district councils</u>	
			<u>Method 47: Collaborate on matters of shared interest</u>	<u>Regional council, city and district councils</u>	

Objectives	Policy titles	Page no.	Method titles	Implementation	Page no.
			Method 48: Consider appointing pūkenga to hearing committees	Regional council, city and district councils	
	Policy IR 3B: Promoting consistent and integrated management across jurisdictional boundaries.		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional council, city and district councils	
			Method 12: Take into account iwi and hapu management plans in assessments of environmental effects.	Regional council, city and district councils	
			Method 41: Promote consultation with potentially affected tangata whenua	Regional council, city and district councils	
			Method 42: Evaluate matters of significance to tangata whenua	Regional council, city and district councils	
	Policy IW 3B: Recognising the Treaty in the exercise of functions and powers under the Act		Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	Regional council, city and district councils	
	Policy IW 1B: Enabling development of multiple-owned Māori land		Method 11: Recognise statutory acknowledgement areas	Regional council, city and district councils	
			Method 48: Consider appointing Pūkenga to hearing committees	Regional council, city and district councils	

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
 KR – Kaituna 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 11 Policy name and page number

Policy title	Page no.
Kaituna River	
Broad directive policies for plans and consents	
<u>Policy KR 1B: Recognise and provide for traditional and contemporary iwi and hapū relationships with Kaituna River</u>	
<u>Policy KR 2B: Establishing water quality limits within the Kaituna River</u>	
<u>Policy KR 3B: Using Mātauranga Māori to inform resource management decision making in the Kaituna River</u>	
<u>Policy KR 4B: Managing groundwater abstraction in the Kaituna River.</u>	
<u>Policy KR 5B: Enhancing the mauri of the Kaituna River through best management practices</u>	
<u>Policy KR 6B: Providing for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats</u>	
<u>Policy KR 7B: Enabling economic development opportunities for iwi and hapu in the Kaituna River</u>	
<u>Policy KR 8B: Enabling recreational activities along the Kaituna River</u>	
<u>Policy KR 9B: Recognising kaitiakitanga in the Kaituna River involves use, development and protection</u>	

Kaituna River and its tributaries Policies

Applying the Kaituna River provisions

The Kaituna River objectives, policies and methods set out in Table 10c only apply to the Kaituna River co-governance area identified in Map 4b (source OTS-209-79 - Office of Treaty Settlements). These provisions should be read along with other region wide provisions.

Policy KR 1B: Recognise and provide for traditional and contemporary iwi and hapū relationships with Kaituna River

Recognise and provide for traditional and contemporary iwi and hapū relationships with the Kaituna River through the:

- (a) Provision of tangata whenua access to sites of cultural significance
- (b) Establishment of pou and other appropriate cultural markers
- (c) Formal identification and establishment of taunga waka
- (d) Exchange of environmental research and monitoring information; and
- (e) Recognition of iwi and hapū resource management plans in the management of land uses, river access and cultural heritage protection.

Explanation

All persons exercising functions and powers under the Act are required to protect historic heritage sites of cultural significance and recognise and provide for the relationship of Māori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance. Iwi and hapū seek to reinforce their relationship and that of their culture and traditions with the Kaituna River and sites of cultural significance. For iwi and hapū a priority is re-establishing formal access to sites of cultural significance including the construction of associated taunga waka (traditional canoe landing places) and pou whenua.

Various statutory acknowledgement areas exist within the Kaituna River Catchment area. Claims settlement legislation acknowledges the particular cultural, spiritual, historical and traditional association iwi have with these statutory acknowledgement areas. Iwi and hapū resource management plans are also important repositories of sites of cultural significance. These plans identify sites of cultural significance and can assist with establishing priorities for environmental research and monitoring information. Only tangata whenua, through their pukenga, can identify and evidentially substantiate these sites of cultural significance.

The Kaituna Action Plan is the primary means for identifying priority projects to 'give life' to the Kaituna River Document over the next 10 years.

*Table reference: **Objective 40**, New Methods KR 1, KR 2 Methods 11, 12, 23S, 23T, 34, 41, 42, 53, 57*

Policy KR 2B: Establishing water quality limits within the Kaituna River

Establish water quality limits for contaminants within the Kaituna River through the National Policy Statement for Freshwater Management framework to ensure water:

- (a) Is safe for bathing in identified locations where people wish to swim;
- (b) Provides safe drinking water sources where the water is used for that purpose;
- (c) Can sustain customary kai awa and kai moana sources; and
- (d) Is suitable for cultural ceremonies at traditional sites.

Explanation

The Kaituna River community have observed a decline in water quality and are fearful of further decline in the future. Te Maru o Kaituna and communities within the catchment have strong relationships with the river and expectations that water should be swimmable, abundant, suitable for cultural ceremonies, and able to sustain customary food sources.

The ability to access safe drinking water is important to the community. Registered water supplies are afforded protection under the National Environmental Standard for Sources of Human Drinking Water Regulations 2007. The

drinking water standards are high across a range of contaminants and it is unrealistic to expect these to be met in all parts of the Kaituna River and its tributaries without water treatment.

Setting instream load limits for contaminants, such as nutrients, sediment and bacteria, within the waterways at identified places, will ensure the quality of water within the Kaituna River meets the desired outcomes of 'Kaituna He Taonga Tuku Iho'.

*Table reference: **Objective 41**, New methods KR1 and KR 3 Methods 3, 11, 12, 23I, 34, 41, 53 and 57*

Policy KR 3B: Using Matauranga Maori to inform resource management decision making in the Kaituna River

Use Matauranga Maori to inform resource management decision making processes in the Kaituna River and achieve the vision, objectives and desired outcomes of 'Kaituna He Taonga Tuku Iho'.

Explanation

'Mātauranga Māori' or 'Maori knowledge' encompasses knowledge and understanding of all things visible and invisible. Matauranga Maori often includes present-day, historic, local, and traditional knowledge; systems of knowledge transfer and storage; and iwi/hapu goals, aspirations and issues.

Fundamental elements of Matauranga Maori include mauri, whakapapa and kaitiakitanga. It includes all aspects of Maori culture, past present and future. Recognising matauranga Maori is about understanding the holistic Maori worldview and its focus on connectedness.

Matauranga Maori is a credible source of knowledge that can be used alongside science to support achieving objectives for the Kaituna River. To be useful Matauranga Maori needs to be stored and readily accessible to help inform resource management decision making processes. Respecting differing world views will enable more balanced and complimentary outcomes.

*Table reference: **Objectives 42 and 43**, New Methods 2, 3, 11, 23N, 23T, 30, 32, 42, 43 and 46*

Policy KR 4B: Managing groundwater abstraction in the Kaituna River

Manage groundwater abstraction to protect the mauri of puna (spring) flows within the Kaituna River while:

- (a) Having regard to the economic, cultural and social well-being of present and future iwi, hapu and communities; and
- (b) Ensuring there is sufficient water available to provide for tangata whenua, ecological and recreational values.

Explanation

Demand for fresh water particularly for agriculture, horticulture and for drinking supply is predicted to double in the Western Bay sub-region between 2005 and 2055 but the amount of water in our rivers, streams and groundwater aquifers is limited. Under the National Policy Statement for Urban Development Capacity, Rotorua is identified as a medium growth area reversing a previous trend of declining growth. Conversely the western Bay of Plenty sub-region (which includes Tauranga City) is identified as a high growth area. Appendix E of this Policy Statement identifies considerable areas of currently rural land earmarked for future urban development in the Te Puke, Rangiuru Business Park and Te Tumu urban growth areas. As population growth and urban development occurs within these areas there will be greater demand for freshwater use.

The challenge is to ensure there is sufficient water within the Kaituna River to protect tangata whenua, ecological and recreational values for present and future generations whilst also providing for growth and economic, cultural and social well-being. This challenge is serious given current water allocation exceeds region-wide limits in several sub-catchments of the Kaituna River and in the Lower Kaituna aquifer. Once used much of the water is then returned back into the catchment either onto land or directly into water bodies. About two thirds of the discharges of water are to land while the other third are discharges to water.

Managing groundwater abstraction is challenging given its complexities including the interconnections between groundwater and surface water. While water is a renewable resource, it is also finite and needs to be sustainably managed. As groundwater and surface water become more limited competition between uses will build for this resource.

Decisions about the allocation of groundwater must ensure there is sufficient water available to protect tangata whenua, ecological and recreational values. Policy KR 4B must be considered in tandem with Policy WQ 2A when total allocation limits and Policy WQ 4B when establishing common review dates for groundwater takes within the Kaituna River Catchment.

Objectives 42 and 43, Methods 2, 3, 11, 23I, 30, 32, 42, 43 and 46

Policy KR 5B: Enhancing the mauri of the Kaituna River through improved land management practices

Enhance the mauri of the Kaituna River by ensuring rural production, commercial and industrial activities minimise nutrient losses by implementing best management practices including:

- (a) Ensuring consented activities are managed to maintain or enhance the River's ecological and cultural health;
- (b) Promoting industry incentives and leadership; and
- (c) Promoting the integration of kaitiakitanga and rangatiratanga into land use management, river access and cultural heritage protection in specified locations.

Explanation

Community and iwi concerns have highlighted that a continuation of current land use practices will result in ongoing poor outcomes for the Kaituna River. While regulation has a role to play, on its own it is unlikely to enhance the mauri of the Kaituna River.

The environmental well-being of the Kaituna River and its many tributaries requires a more holistic approach involving a mix of regulation, incentives and industry leadership. Improvements in rural land management are reliant on land managers embracing best management practice techniques and technological advances.

Tangata whenua seek to be actively involved in resource management decision making processes particularly where proposals involve cultural

heritage and river access considerations. Tangata whenua also seek more meaningful and proactive ways of integrating kaitiakitanga and rangatiratanga into land use management practices that will enhance the mauri of the Kaituna River.

Consented activities for agriculture, forestry, horticulture, industry and urban developments, including three waters infrastructure, all have a role in promoting the maintenance and improvement of the cultural and ecological health of the Kaituna River.

A common example of best management practice is environmental offsetting. This provides flexibility to enable development in one place provided there is enhancement to the mauri of the Kaituna River in another place nearby. The over riding outcome sought through environmental offsetting is achieving a net environmental benefit.

*Table reference: **Objective 44, New Method KR1 and Methods 3, 12, 23J, 23N, 23S, 27, 34, 35, 41 and 42***

Policy KR 6B: Providing for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats

Protect, restore and enhance indigenous aquatic, riparian and wetland vegetation and habitats within the Kaituna River and its riparian margins by:

- (a) Increasing the quality and extent of remaining wetlands;
- (b) Prioritising funding of biodiversity projects in the Kaituna Action Plan;
- (c) Undertaking pest management and removal activities; and
- (d) Identifying and enhancing ecosystems that support and sustain indigenous flora and fauna.

Explanation

The Kaituna River Catchment has undergone widespread land use change to enable forestry conversion, pastoral grazing, horticulture, rural lifestyle activities and urbanisation. While these

land use activities are important contributors to the region's economic prosperity they have impacted negatively on the health of indigenous vegetation and habitats within streams and rivers and their riparian areas.

Some of New Zealand's more sensitive indigenous freshwater and reptile species are at risk of disappearing. The indigenous ecosystems within the Kaituna River support these threatened species. There is a need to ensure remaining indigenous flora and fauna in the Kaituna River are retained and protected from further loss or degradation. This requires a systematic approach of identifying and protecting remaining indigenous ecosystems.

Wetland areas are particularly important habitats and therefore should be given the higher priority for protection. In the Bay of Plenty region around 97 percent of wetlands have been lost. Most of these wetlands were in areas very desirable for the development of farmland. Draining, burning and clearing of vegetation for farmland, together with the reclamation of wetlands for urban and industrial uses, have been the principal agents of wetland destruction.

Opportunities for enhancing Kaituna Rivers indigenous aquatic, riparian and wetland ecosystems need to be considered and encouraged, including through non-regulatory tools and the funding of pest management activities. Examples include voluntary wetland management agreements, wetland care groups, funding assistance through incentive schemes and biodiversity plans.

*Table reference: **Objective 45**, New Method KR1 and Methods 3, 26, 27, 39, 49, 55, 64 and 65*

Policy KR 7B: Enabling economic development opportunities for iwi and hapu in the Kaituna River

Enable economic development opportunities for iwi and hapu which respect and promote greater understanding of cultural associations with the Kaituna River and restore, protect or enhance the River's well-being.

Explanation

Iwi and hapū seek economic development opportunities which respect cultural associations with the Kaituna River, promote greater understanding of those associations and restore,

protect or enhance the River's well-being. Economic development opportunities require collaboration and support from all who have an interest in it. Kaitiakitanga and sustainable land management practices should underpin any economic development opportunities to ensure respect for the Kaituna River.

A wide array of employment opportunities exist within the Kaituna River Catchment. In terms of land cover 27 percent of the catchment's land area is indigenous vegetation, 42 percent is pasture, 19 percent forestry and 10 percent in horticulture. The catchment is well connected, with the East Coast Main Trunk Railway Line traversing the lower catchment and the Tauranga Eastern Link Corridor joining the Eastern Bay and Rotorua, to Tauranga.

Urban and industrial growth, as well as changes in rural activities, bring challenges, including pressure on fresh water resources, but also provide opportunities such as economic growth and employment. Sustainable changes can also provide opportunities to ensure particularly sensitive parts of the catchment and values special to people are protected and enhanced.

Both this Policy Statement and the SmartGrowth Strategy provide for urban growth in Te Tumu and Wairakei (i.e. between the Kaituna River and Pāpāmoa East.) Te Puke and Rangiora out to 2051. The Rangiora Business Park is a large scale industrial and commercial activity hub exceeding 250 ha. Considerable areas of rural production and horticultural land surrounding Te Puke are earmarked for urban expansion post 2021. If realised the resulting development is likely to more than double the catchment's population.

Eco-tourism opportunities exist including guided walks, mountain biking and hunting on Māori land, public reserves and conservation land, and commercial forest blocks. Alternative tree species and intercropping also have economic potential. The development of Māori land remains an ongoing challenge but also an opportunity for its beneficial owners.

*Table reference: **Objective 46**, New Methods KR1, KR 2 and KR6 and Methods 3, 11, 47, 48 and 72*

Policy KR 8B: Enabling recreational activities along the Kaituna River

Provide recreational opportunities along the Kaituna River that do not compromise public

safety or achieving ecological restoration, protection and enhancement objectives.

Explanation

The Kaituna River contains significant natural resources and recreational opportunities, which are highly valued by the community and visitors. The first 2 km of the Kaituna River contains Grade 5 whitewater rapids, including the Kaituna Falls, Ōkere Falls and Tutea Falls which are claimed to be the world's highest commercially rafted waterfalls. Currently over 40,000 people a year raft, sledge or kayak the upper Kaituna through commercial providers.

High useage from various, and sometimes competing, recreational pursuits can lead to occasional conflicts, safety concerns and environmental effects.

A key to enabling recreational activities is the provision of public access to and along the Kaituna River. All persons exercising functions, duties and powers under the Act are required to recognise and provide for, the maintenance and enhancement of public access to and along the Kaituna River as a matter of national importance. The principal means by which this may be achieved are through district plans in association with subdivision, use and development through resource consent conditions and, in some cases, through the acquisition of land.

Policies MN 5B and MN 6B provide direction on where it is appropriate to encourage or restrict public access and create esplanade reserves and esplanade strips, where they do not already exist, to provide public access to and along the Kaituna River.

Ecological health, mahinga kai, cultural and recreational values are significantly degraded in the Maketū Estuary. The Kaituna River re- diversion and Te Awa o Ngātoroirangi/Maketū Estuary Enhancement project will significantly

increase the volume of water into the estuary and help restore ecological and cultural health. Over time these works and their anticipated water quality and ecological benefits should restore active and passive recreational opportunities for tangata whenua, the community and visitors alike.

*Table reference: **Objective 46**, New Methods KR1, KR2, KR3 and KR6 and Methods 3, 11, 23S, 23T, 47, 48 and 72*

Policy KR 9B: Recognising kaitiakitanga in the Kaituna River involves use, development and protection

Recognise kaitiakitanga in the Kaituna River involves both the use and development of land and water by tangata whenua and the protection of taonga, waahi tapu, sites of significance and other natural and physical resources of importance to tangata whenua.

Explanation

Kaitiakitanga is generally used to denote tangata whenua guardianship of resources within their traditional areas. The role and responsibilities of kaitiakitanga are wide and varied, tangible and intangible, based on Māori lore relevant to iwi, hapū, whānau and resources within their rohe. A principle component of kaitiakitanga is the maintenance of the mauri of resources. Kaitiakitanga also includes providing for appropriate use and development of natural and physical resourced is a way or rate that preserves, protects, recognises and strengthens cultural and spiritual aspects of those resources. In the context of the Kaituna River the aim is to protect its mauri while also enabling sustainable use and development that provides for the social, economic and cultural well being of present and future generations.

3.2 Methods to implement policies

Table 4 Methods to implement policies

Section 3.2: Methods to implement policies	Page no.
3.2.1: Directive methods	
<u>Method KR1: Te Tini a Tuna Kaituna Action Plan</u>	
<u>Method KR2: Erect pou or other cultural markers along Kaituna River</u>	
<u>Method KR3: Identify locations for safe contact recreation in the Kaituna River</u>	
<u>Method KR4: Identify and map sites of cultural significance in the Kaituna River</u>	
<u>Method KR5: Provide information on integrating kaitiakitanga and rangatiratanga into land use management in the Kaituna River</u>	
<u>Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River</u>	
<u>Method 23I: Develop sustainable environmental flow and catchment load limits in the Rangitaiki River catchment and Kaituna River</u>	
<u>Method 23J: Develop strategies for managing wastewater and stormwater in the Rangitaiki River catchment and Kaituna River</u>	
<u>Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitaiki River catchment and Kaituna River</u>	
<u>Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitaiki River catchment and Kaituna River</u>	
<u>Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitaiki River catchment and Kaituna River</u>	

3.2.1 Directive methods

Method KR1: Te Tini a Tuna Kaituna Action Plan

Implement Policies KR 1B, KR 2B, KR 3B, KR 4B, KR 5B, KR 6B, KR 7B, KR 8B, IW 2B, IW 1B through Te Tini a Tuna Kaituna Action Plan.

Implementation responsibility: Regional Council, Te Maru o Kaituna River Authority, Tauranga City Council, Western Bay of Plenty District Council, Rotorua Lakes Council and iwi authorities.

Method KR2: Erect pou or other cultural markers along Kaituna River

Erect pou and other appropriate cultural markers along the margins of Kaituna River to identify sites of cultural significance to iwi.

Implementation responsibility: Regional Council, Te Maru o Kaituna River Authority, Tauranga City Council, Western Bay of Plenty District Council, Rotorua Lakes Council and iwi authorities.

Method KR3: Identify locations for safe contact recreation in the Kaituna River

Identify specific locations in the Kaituna River for safe contact recreation under Policy KR 2B.

Implementation responsibility: Te Maru o Kaituna River Authority and iwi authorities.

Method KR4: Identify and map sites of cultural significance in the Kaituna River

Identify, record and map sites of cultural and historical significance to iwi and hapu including traditional place names, travel routes, waahi tapu, urupa and waipuna (springs) in the Kaituna River catchment.

Implementation responsibility: Iwi authorities.

Method KR5: Provide information on integrating

kaitiakitanga and rangatiratanga into land use management in the Kaituna River

Provide information to regional, city and district councils, land developers and consultants about how kaitiakitanga and rangatiratanga can be recognised and provided for in land use management, river access and cultural heritage protection.

Implementation responsibility: Iwi authorities.

Method KR6: Promote employment opportunities for tangata whenua through land management projects in the Kaituna River

Promote employment opportunities for tangata whenua through land management projects in the Kaituna River including providing:

- (a) Pest and silviculture management services
- (b) Fencing services
- (c) Council reserves maintenance; and
- (d) Environmental monitoring.

Implementation responsibility: Regional Council, Te Maru o Kaituna River Authority, Tauranga City Council, Western Bay of Plenty District Council, Rotorua Lakes Council and iwi authorities.

Method 23I: Develop sustainable environmental flow and catchment load limits in the Rangitaiki River catchment and Kaituna River

Sustainable flow and catchment load limits in the Rangitāiki and Kaituna River catchments 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.

Implementation responsibility: Regional Council

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

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

Implementation responsibility: District councils

Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitāiki River catchment and Kaituna River

Develop protocols to ensure the mana of iwi and hapū in the Rangitāiki River catchment and Kaituna River is recognised through any resource management decision making process 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 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River catchment and Kaituna River

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

Retain and enhance safe public and cultural access to and along rivers within the Rangitāiki River catchment and Kaituna River 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 and Kaituna River.
- (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

4.2 Objectives, anticipated environmental results and monitoring indicators

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

Draft for consultation

Objectives	Anticipated environmental results (AER)	Monitoring indicators
Kaituna River		
<p>Objective 40 <u>The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised and provided for.</u></p>	<p><u>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</u></p> <p><u>Iwi and hapū kaitiaki are satisfied mitigation measures identified in cultural impact assessments have been addressed in resource management decision-making</u></p> <p><u>Decision-making takes iwi and hapū resource management plans into account</u></p> <p><u>Pou/cultural markers are erected and taunga waka constructed on the Kaituna River</u></p>	<p><u>Regular iwi perceptions surveys show iwi within the Kaituna 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</u></p> <p><u>Regular iwi perceptions surveys show high levels of satisfaction with the provision for mitigation measures included in cultural impact assessments in resource management decision making processes</u></p> <p><u>Section 32 reports for relevant plan changes and resource consents evidentially substantiate relevant iwi and hapū resource management plans have been taken into account</u></p>
<p>Objective 41 <u>Water quality and the mauri of the water in the Kaituna River and its tributaries is restored to a healthy state which meets agreed standards.</u></p>	<p><u>Erosion, silt or sediment does not adversely affect aquatic ecosystems</u></p> <p><u>Water quality supports healthy aquatic ecosystems</u></p> <p><u>The state of degraded water quality in Kaituna River and it's tributaries improves over time</u></p> <p><u>Public health and safety (by providing potable water and managing sewage) is maintained</u></p>	<p><u>Surveys of aquatic ecosystems show no adverse effects due to silt or sediment</u></p> <p><u>Compliance monitoring of consented activities shows no contravention of earthwork related conditions</u></p> <p><u>Macro-invertebrate diversity in Kaituna River is maintained or improved. Water quality is meeting the standards set in the Act, any relevant national instruments and the Regional Natural Resources Plan. Kai moana resources re-establish in Maketū estuary and are safe for human consumption</u></p> <p><u>Water quality measured at monitoring stations within the Kaituna River meet regional plan water quality classification standards and criteria</u></p> <p><u>Registered drinking-water supply catchments are protected from contamination and meet regional plan water classification standards and criteria</u></p>

<p>Objective 42</p> <p>There is sufficient water quantity in the Kaituna River to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.</p>	<p><u>Significant indigenous biological diversity and natural features values are protected and enhanced</u></p>	<p><u>Identified significant natural areas on private land are under active management (for the purpose of their maintenance, restoration and rehabilitation)</u></p>
	<p><u>The extent of wetlands is maintained and enhanced.</u></p>	<p><u>Maintenance or improvement in the condition and extent of wetlands.</u></p>
	<p><u>Iwi and hapū relationships with water in the Kaituna River are recognised and acknowledged.</u></p>	<p><u>Resource management decisions involving takes or discharges of water document how iwi and hapū relationships have been recognised and acknowledged.</u></p>
<p>Objective 43</p> <p>Water in the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities now and for future generations.</p>	<p><u>The ecological, cultural, recreational and amenity values of water bodies are maintained.</u></p>	<p><u>River and Stream flows do not fall below their instream minimum flows due to abstraction of water.</u></p>
	<p><u>The health of aquatic ecosystems is safeguarded.</u></p>	
	<p><u>The quantity of available water meets the reasonably foreseeable needs of future generations.</u></p>	
<p>Objective 44</p> <p>The environmental well-being of the Kaituna River is enhanced through best management practices.</p>	<p><u>Land use impacts are within the sustainable limits of the river (receiving aquatic environment)</u></p>	<p><u>Existing use and new land development aligns with that land's use capability</u></p> <p><u>Compliance monitoring of consented activities shows no contravention of earthwork related conditions</u></p>
	<p><u>Resources are used or allocated within their limits (design parameters or carrying capacity)</u></p>	<p><u>Discharges from land are within the assimilative capacity of their receiving environments</u></p>
	<p><u>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.</u></p>	<p><u>Regular iwi perceptions surveys show iwi within the Kaituna 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.</u></p>
<p>Objective 45</p> <p>The restoration, protection and enhancement of Kaituna River's wetlands, aquatic and</p>	<p><u>Values of water (ecological, cultural, recreational and amenity) within the Kaituna River and its tributaries are maintained</u></p>	<p><u>River and Stream flows do not fall below their instream minimum flows due to abstraction of water</u></p>

<u>riparian ecosystem health and habitats that support indigenous vegetation and species.</u>	<u>The extent of wetlands along the Kaituna River and its tributaries is maintained and enhanced.</u>	<u>Maintenance or improvement in the condition and extent of wetlands along the Kaituna River and its tributaries.</u>
	<u>Degraded aquatic ecosystems, habitats, and biological communities are restored (if practical) and rehabilitated.</u>	<u>An observed increase in the health of natural communities and habitats of indigenous flora, fauna and ecosystems in the Kaituna River and its tributaries and their riparian margins and wetlands.</u>
Objective 46 <u>Te Maru o Kaituna collaborate with iwi and the wider community to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.</u>	<u>The level of public access to and along rivers is improved.</u>	<u>Increase in the number of formal public esplanade reserves and strips and public accessways to and along the Kaituna River</u>
	<u>Values of water (ecological, cultural, recreational, amenity and economic) within the Kaituna River and its tributaries are maintained.</u>	<u>River and Stream flows do not fall below their instream minimum flows due to abstraction of water.</u>

Appendix A – Definitions

Kaituna River: The co-governance area identified in Map 4b (source Office Treaty Settlements OTS-209-79) and includes all rivers and streams flowing into the Kaituna River and Maketu Estuary.

Draft for consultation

WORKSHOP PAPER



Te Maru
o Kaituna

To: Te Maru o Kaituna River Authority
Workshop 26 June 2020

From: Dave Marshall
Kaitohutohu Taiao/ Environmental Policy
Advisor

Date: 18 June 2020

Subject: Initial Independent Technical Review of draft Proposed Change Five (Kaituna River) to the Bay Plenty Regional Policy Statement

Executive Summary

This report reviews draft Proposed Change Five (Kaituna River) to the Bay of Plenty Regional Policy Statement as prepared for consultation by the Bay of Plenty Regional Council. It concludes that the draft Proposed Change appropriately recognises and provides for the vision, objectives and desired outcomes in *Kaituna he taonga tuku iho – a treasure handed down* to the extent that it relates to achieving the purpose of the Resource Management Act 1991 for the Kaituna River. Minor changes to wording in the draft Proposed Change may be required for clarity and consistency.

It is recommended that Te Maru o Kaituna Authority (**TMoK**) consider requesting that the opportunity be provided for TMoK to review and comment on the proposed change after community/stakeholder consultation has been completed and before the proposed change is approved for notification by the Regional Council.

Purpose

The purpose of this report is to provide independent planning advice to Te Maru o Kaituna Authority on whether draft Proposed Change Five (**the draft Proposed Change**) to the Bay Plenty Regional Policy Statement (**the RPS**) “*appropriately and fully recognises and provides for the vision, objectives and desired outcomes of Kaituna, he taonga tuku iho – the Kaituna River Document to the extent the Tapuika Claims Settlement Act 2014 envisaged and the RMA allows*” (Project Brief dated 18 May 2020).

This is an initial review for the purposes of assisting TMoK in providing feedback to the Regional Council on the proposed change before wider community and stakeholder consultation commences. I have undertaken this review based on the following documents:

- Tapuika Claims Settlement Act 2014;
- Kaituna, he taonga tuku iho – a treasure handed down – the Kaituna River Document;
- Proposed Change 5 (Kaituna River) to the RPS;
- Operative Regional Policy Statement (RPS);
- Operative Change 3 (Rangitikei River) to the RPS.

Background

The Tapuika Deed of Settlement was signed between the Crown and Tapuika Iwi Authority in December 2012. The settlement is given effect to through the Tapuika Claims Settlement Act 2014 (**the Settlement Act**). The Settlement Act, amongst other things, creates TMoK as a co-

governance entity and provides for TMoK to prepare and approve *Kaituna he taonga tuku iho* – a treasure handed down (***Kaituna he taonga tuku iho***). This document has now been approved by TMoK.

The Settlement Act requires that a local authority, including the Regional Council, must recognise and provide for the vision, objectives and desired outcomes in *Kaituna, he taonga tuku iho* in its policies and plans. Section 123 of the Settlement Act requires that *Kaituna, he taonga tuku iho* be recognised and provided for to the extent that it relates to the resource management issues of the region and is the most appropriate way to achieve the purpose of the RMA in relation to the Kaituna River.

The Regional Council has prepared the draft Proposed Change to the RPS to give effect to the requirements of the Settlement Act and now seeks comment from TMoK before consulting more widely with the community and stakeholders. The Regional Council intends to bring the proposed change back to a formal meeting of TMoK in August, before undertaking further consultation, and then determining whether to notify the Proposed Change at the September meeting of the Regional Council Policy and Strategy committee. The Regional Council intends to notify the Proposed Change before the end of the year.

Assessment

In meeting the project brief this assessment specifically tests the draft Proposed Change against the three statutory criteria of Section 123 of the Settlement Act. That is, does the proposed change:

- Recognise and provide for the vision, objectives and desired outcomes in *Kaituna, he taonga tuku iho*;
- To the extent that it relates to the resource management issues of the region; and
- In the most appropriate way to achieve the purpose of the Resource Management Act 1991 (the **RMA**) in relation to the Kaituna River.

Overall Structure and Content

The proposed change introduces new objectives, policies and methods into the RPS and also amends existing co-governance methods. It identifies existing RPS provisions that assist in implementing the objectives. In my view a change to the RPS is the appropriate RMA instrument to recognise and provide for *Kaituna, he taonga tuku iho* as the new RPS provisions must be given effect to when subordinate regional or district plans are prepared or amended. The RPS provisions must also be had regard to when resource consent applications are considered.

The Proposed Change follows the general structure and form of change three to the RPS. That change gave effect to Te Ara Whānui o Rangitāiki and was required by the Ngati Whare Treaty Claims Settlement Act 2012 and the Ngati Manawa Treaty Claims Settlement Act 2012. Change three introduced a new treaty/co-governance chapter into part 2 of the RPS to house co-governance provisions. Environment Court appeals to change three have been resolved and it is operative.

In my view it is efficient and appropriate for the general form and structure of the Proposed Change to utilise the treaty/co-governance provisions created and precedent set by change three. This diminishes appeal risks as the provisions of change three have already been demonstrated to be an appropriate way to serve the purpose of the RMA. It is also appropriate for the change to refer to existing RPS provisions which assist in recognising and providing for *Kaituna, he taonga tuku iho*. This reduces duplication within the RPS.

The proposed change includes an issues section which provides appropriate framing for the proposed objectives within an RMA context. It demonstrates that the Proposed Change provisions relate to the resource management issues of the region and the purpose of the RMA in relation to the Kaituna River.

The proposed change has often closely or directly adopted the wording of *Kaituna, he taonga tuku iho*. This reflects the clarity of that document which is a statement of partnership and co-governance drafted with the intention of it being given effect to in statutory planning documents. It also reflects its appropriateness as a foundation for identifying and addressing the resource management issues of the Kaituna river.

Objectives

Kaituna, he taonga tuku iho contains one vision statement and eight objectives. These are redrafted into seven new objectives in the draft Proposed Change. The vision and objectives of *Kaituna, he taonga tuku iho* are compared to those of the Proposed Change in Table One (**Attachment One**). Overall I consider that the draft Proposed Change objectives reflect the intent and wording of the vision statement and objectives of *Kaituna, he taonga tuku iho*. Alterations to the wording used in the proposed change from that used in *Kaituna, he taonga tuku iho* are considered minor and consistent with standard RMA terminology.

Objective 2 of '*Kaituna, he taonga tuku iho*' is specific to the activities of TMoK and the Kaituna Action Plan. Consequently it is appropriate for this not to be reflected in the proposed change to the RPS.

Policies

The proposed change introduces nine new policies to achieve to the above objectives and identifies another 13 existing policies within the RPS which assist with their implementation. The proposed new policies continue to closely reflect the intent and wording of *Kaituna, he taonga tuku iho*. Particularly the key policies identified in Table One. It is considered that the desired outcomes for:

- Ngā Piringa me ngā Herenga - Iwi Relationships with the River are closely provided for in policy KR 1B;
- Te Mauri me te Rēto o te Wai - Water Quality and Quantity are closely provided for in policies KR 2B KR 3B and KR 4B;
- Mahinga Whenua - Land Use are recognised and provided for in policy KR 5B;
- Te Oranga o Te Pūnaha-hauropi - Ecosystem Health are recognised and provided for in policy KR 6B; and
- Ngā Herenga o Te Maru o Kaituna - Te Maru o Kaituna in Collaboration with Iwi and the Community are closely provided for in policies KR 7B and KR 8B.

In regards to policy KR 5B some wording improvements could be made. It is unclear what the policy means by the use of the term "consented activities" although this is a term used in *Kaituna, he taonga tuku iho*. It is important that this policy be considered for all activities including those applying for consent. TMoK may wish to suggest revised wording for this policy such as deleting the word "consented". The policy also reflects '*Kaituna, he taonga tuku iho*' in referring to improved land use practices. However reference to best land management practices would be consistent with proposed objective 44.

The proposed change identifies existing RPS policies that assist with the implementation of the proposed change. It is considered effective and efficient for the proposed change to do this.

Methods and Monitoring

The proposed change introduces six new methods to implement the objectives and policies, adds the Kaituna river to five existing co-governance methods and identifies over 50 other existing RPS methods that assist in implementation.

The new methods generally continue to closely reflect *Kaituna, he taonga tuku iho* and provide clear means of implementing the objectives and policies. The first new method appropriately identifies Te Tini a Tuna Kaituna Action Plan as an implementation mechanism for the proposed change.

It is considered effective and efficient to expand the appropriate existing co-governance methods to encompass the Kaituna. This avoids duplication and aligns with existing Regional Council implementation programmes. It is also appropriate for the proposed change to identify the other existing methods in the RPS that assist with its implementation.

Method 23I correctly identifies that the proposed change will be implemented within the context of the National Policy Statement for Freshwater Management (NPS-FM) which requires the Regional Council to develop freshwater management provisions in engagement with iwi and hapū and the wider community.

The proposed change includes appropriate anticipated environmental results and monitoring indicators against which achievement of the objectives can be measured.

It is noted that the RPS contains a number of existing policies and methods. The proposed change adds to this number. However the Regional Council has an RPS Implementation Strategy which it advises has been developed to provide for the systematic implementation of all policies and methods

Process

The Tapuika Claims Settlement Act 2014 (**the Settlement Act**) simply requires that a local authority must recognise and provide for *Kaituna, he taonga tuku iho* when preparing or amending a policy statement or plan. It sets out no particular process for doing so.

The Regional Council has prepared the draft proposed change and is seeking TMoK comment at the workshop on 26 June and meeting of 28 August 2020. The Regional Council will then undertake broader iwi, stakeholder and community consultation before considering whether or not to notify the proposed change at the Policy and Strategy Committee on 3 November 2020. This will enable notification to occur this year. However it provides no opportunity for TMoK to provide comment to the Regional Council on amendments to the proposed change that may arise from wider consultation post August 2020.

The functions of TMoK under the Settlement Act include not only preparing and approving *Kaituna, he taonga tuku iho* but also monitoring its implementation and effectiveness. The proposed change is a key mechanism for that implementation.

Consequently, I recommend that TMoK consider requesting that an opportunity be provided for TMoK to consider and comment on the post consultation proposed change before it is approved for notification by the Regional Council.

Conclusion

In my view the proposed change:

- Appropriately amends the RPS as the RMA instrument to which region and district plans must have regard to;

- Strongly reflects the intent and wording of *Kaituna, he taonga tuku iho* in introducing new objectives, policies and methods to the RPS;
- Appropriately amends and includes existing policies and methods within the RPS to address the new objectives;
- Provides effective and monitored mechanisms for implementation; and
- Addresses the resource management issues within the catchment in order to achieve the purpose of the RMA.

Therefore I consider that proposed change five recognises and provides for the vision, objectives and desired outcomes in *Kaituna, he taonga tuku iho* to the extent that it relates to the resource management issues of the region, and is the most appropriate way to achieve the purpose of the RMA in relation to the Kaituna River.

Minor changes to the wording of some provisions, such as policy KR 5, may be required for clarity and consistency.

I note that the current proposed change preparation process provides for community/stakeholder consultation and amendments to the proposed change after it has been considered by TMoK and before it is considered by the Regional Council for notification. TMoK is the authority that has prepared and approved *Kaituna, he taonga tuku iho* and has responsibility for monitoring its implementation.

I therefore recommended that TMoK consider requesting that the process be amended to provide for TMoK comment on the proposed change after community/stakeholder consultation has been completed and before it is approved for notification by the Regional Council.



Dave Marshall

Kaitohutohu Taiao/ Environmental Policy Advisor

Attachment One

Table One – Comparison of *Kaituna, he taonga tuku iho* and Draft Proposed Change Five to the Bay of Plenty Regional Policy Statement

<i>Kaituna, he taonga tuku iho</i>	Draft Proposed Change Five		
Vision/Objective	Relevant Objective	Key Policy	Comment
<p>E ora ana te mauri o te Kaituna, e tiakina ana hoki mō ngā whakatupuranga o nāianei, o muri nei hoki.</p> <p>The Kaituna River is in a healthy state and protected for current and future generations</p>			This vision is reflected in proposed change objectives 40 and 41 below.
<p>1. The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are provided for, recognised and protected</p>	<p>Objective 40</p> <p>The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised and provided for.</p>	<p>Policy KR 1B</p> <p>Recognise and provide for traditional and contemporary iwi and hapū relationships with Kaituna River.</p>	<p>The proposed change wording reflects <i>Kaituna, he taonga tuku iho</i> except for the use of “protect” which is inherent in recognising and providing for those relationships.</p>
<p>2. Iwi-led projects which restore, protect and/or enhance the Kaituna River, are actively encouraged, promoted and supported by Te Maru o Kaituna through its Action Plan.</p>			<p>This objective is specific to Te Maru o Kaituna and the Kaituna River Action Plan. It is not an appropriate RPS objective.</p>
<p>3. Water quality and the mauri of the water in the Kaituna River are restored</p>	<p>Objective 41</p>	<p>Policy KR 2B:</p>	<p>The proposed change closely reflects <i>Kaituna, he taonga tuku iho</i>. The</p>

<i>Kaituna, he taonga tuku iho</i>	Draft Proposed Change Five		
Vision/Objective	Relevant Objective	Key Policy	Comment
to a healthy state and meet agreed standards	Water quality and the mauri of the water in the Kaituna River and its tributaries is restored to a healthy state which meets agreed standards	Establishing water quality limits within the Kaituna River	reference to “agreed standards” is appropriate given the intended NPS-FM process to set such standards.
4. There is sufficient water quantity in the Kaituna River to: <ul style="list-style-type: none"> - support the mauri of rivers and streams: - protect tangata whenua values: - protect ecological values: - protect recreational values 	Objective 42 There is sufficient water quantity in the Kaituna River to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.	Policy KR 3B: Using Matauranga Māori to inform resource management decision making	The proposed change closely reflects <i>Kaituna, he taonga tuku iho</i>
5. Water from the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities, now and for future generations	Objective 43 Water in the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities now and for future generations	Policy KR 9B Recognising kaitiakitanga in the Kaituna River involves use, development and protection	The proposed change closely reflects <i>Kaituna, he taonga tuku iho</i>
6. The environmental well-being of the Kaituna River is enhanced through improved land management practices.	Objective 44 The environmental well-being of the Kaituna River is enhanced through	Policy KR 5B: Enhancing the mauri of the Kaituna River through best management practices	The proposed change reflects <i>Kaituna, he taonga tuku iho</i> . The wording “best” rather than “improved” management practices reflects standard RMA terminology. The wording for this policy varies in the

<i>Kaituna, he taonga tuku iho</i>	Draft Proposed Change Five		
Vision/Objective	Relevant Objective	Key Policy	Comment
	best management practices		proposed change text.
7. Ecosystem health, habitats that support indigenous vegetation and species, and wetlands within the Kaituna River are restored, protected and enhanced	Objective 45 The restoration, protection and enhancement of Kaituna River's wetlands, aquatic and riparian ecosystem health and habitats that support indigenous vegetation and species.	Policy KR 6B Providing for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats	The proposed change reflects <i>Kaituna, he taonga tuku iho</i> .
8. Te Maru o Kaituna in collaboration with Iwi and the wider community enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River	Te Maru o Kaituna collaborate with Iwi and the wider community to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.	Policy KR 7B: Enabling economic development opportunities for Iwi and hapu in the Kaituna River Policy KR 8B Enabling recreational activities along the Kaituna River	The proposed change closely reflects <i>Kaituna, he taonga tuku iho</i> .