



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

SECTION 32 EVALUATION REPORT

Bay of Plenty Regional Council

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1 Introduction

This report fulfils the requirements of Section 32 of the Resource Management 1991 (RMA), which requires that “Consideration of alternatives, benefits and costs” be undertaken in a plan development or change process.

This Section 32 report presents the required assessment for Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement (RPS) (hereafter referred to as Proposed Change 5 (Kaituna River)).

1.1 Purpose of this report

Section 32 of the RMA requires new plans and policy statements (including changes) to be examined to ensure the appropriateness of the proposed objectives in achieving the purpose of the RMA, as set out in Section 5.

32 Requirements for preparing and publishing evaluation reports

- (1) *An evaluation report required under this Act must—*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
 - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*

- (3) *If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to—*
- (a) the provisions and objectives of the amending proposal; and*
 - (b) the objectives of the existing proposal to the extent that those objectives—*
 - (i) are relevant to the objectives of the amending proposal; and*
 - (ii) would remain if the amending proposal were to take effect.*

The report must clearly identify the best practicable options for giving effect to the proposed objectives and provide an assessment of the efficiency and effectiveness of each of the proposed policies and methods.

In assessing the efficiency and effectiveness of each option, there must be an analysis of the benefits and costs of the environmental, economic social and cultural effects for each option. The reasons why a provision was deemed to be more appropriate must also be included.

This analysis is guided by the above requirements of Section 32 and must be documented, so stakeholders and decision-makers are able to understand the rationale for the proposed change and the preferred options.

1.2 Background/Outline of the Change

Proposed Change 5 (Kaituna River) is based on a legislative requirement which must be fulfilled as a result of Treaty of Waitangi claim settlement legislation for Tapuika Iwi.

The Tapuika Claims Settlement Act 2014 (“the Settlement Act”) required the establishment of Te Maru o Kaituna River Authority (“Te Maru o Kaituna”) a co-governance partnership with representatives from iwi authorities and 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 River¹. In seeking to achieve its purpose Te Maru o Kaituna has a function to support the integrated and collaborative management of the river.²

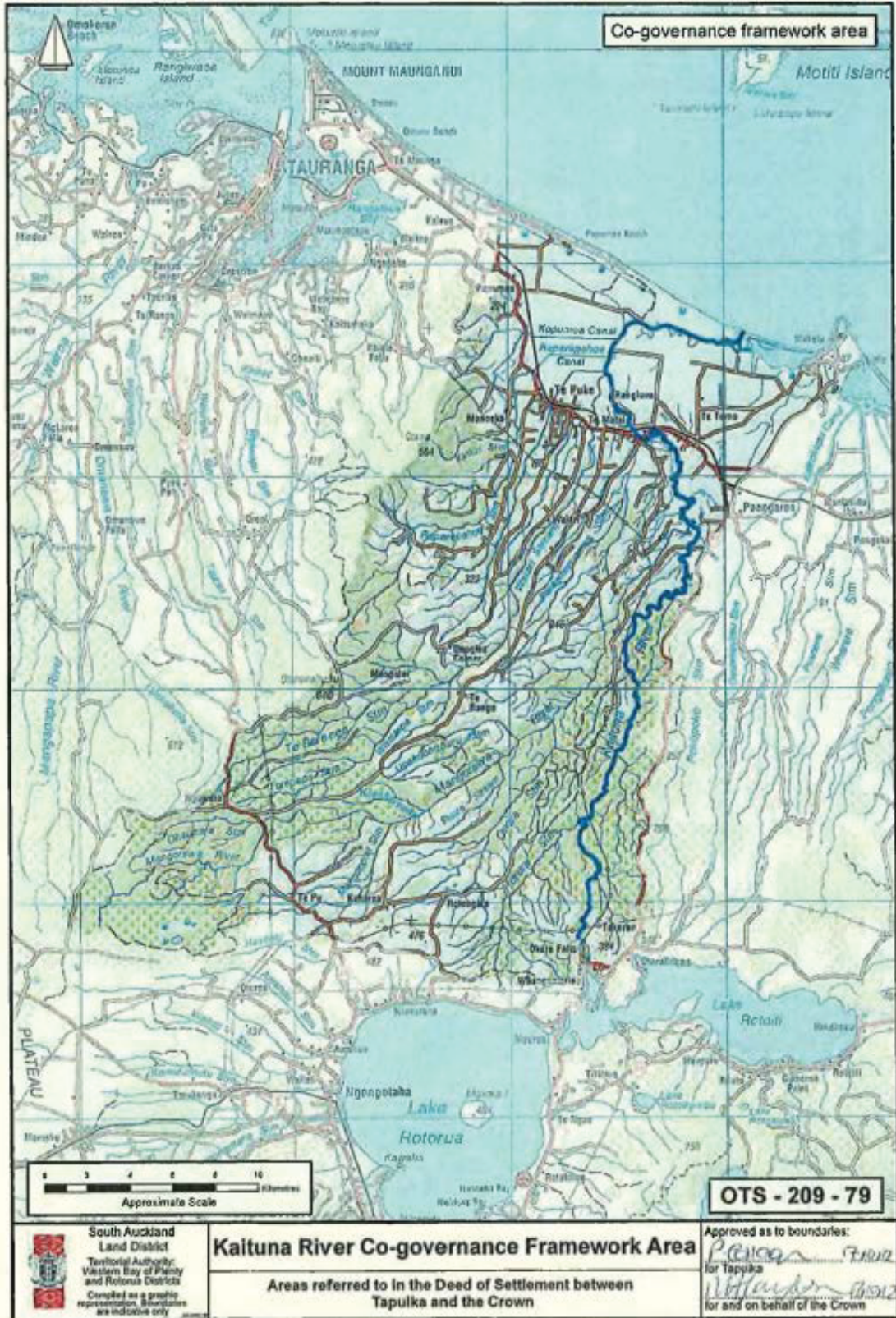
The Kaituna River is defined as including the Kaituna River and its tributaries within the catchment area defined on deed plan OTS-209-79³ as shown on the next page.

¹ Section 115, Tapuika Claims Settlement Act (2014)

² Section 116 (2)(c), Tapuika Claims Settlement Act (2014)

³ Tapuika Deed of Settlement – Attachments 16 Dec 2012, page 35

KAITUNA RIVER CO-GOVERNANCE FRAMEWORK (OTS-209-79)



One of the functions of Te Maru o Kaituna specified in the Settlement Act is to prepare and approve a management document for the Kaituna River. In June 2018, Kaituna, He Taonga Tuku Iho (“the Kaituna River document”) was released by Te Maru o Kaituna. The purpose and scope of the Kaituna River document is prescribed in Section 122 of the Settlement Act as:

- (a) to promote the restoration, protection and enhancement of the environmental, cultural and spiritual well-being of the Kaituna River; and*
- (b) to the extent necessary to fulfil the purpose described in paragraph (a), to provide for the social and economic well-being of people and communities.*

The Settlement Act does not prescribe what must be included in the Kaituna River document, other than that it may contain a vision, objectives and desired outcomes for the Kaituna River. The Kaituna River document must not contain rules or other methods but may identify significant issues facing the Kaituna River.

Section 123 of the Settlement Act requires the RPS to recognise and provide for the vision, objectives and desired outcomes in the Kaituna River document, when preparing or changing the RPS to the extent that the vision, objectives and desired outcomes relate to resource management issues of the region and are consistent with the purpose of the RMA.

123 Effect on Resource Management Act 1991 planning documents

- (1) In preparing or amending a regional policy statement, regional plan, or district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document.*
- (2) The local authority must comply with subsection (1) each time that it prepares or changes its regional policy statement, regional plan, or district plan.*
- (3) Until the obligation under subsection (1) is complied with, where a local authority is considering an application for a resource consent to authorise an activity to be undertaken within the catchment of the Kaituna River, the local authority must have regard to the Kaituna River document.*
- (4) To avoid doubt,—*
 - a) the obligations under subsections (1) to (3) apply only to the extent that the contents of the Kaituna River document relate to the resource management issues of the region or district; and*
 - b) the obligations under subsection (1) apply only to the extent that recognising and providing for the vision, objectives, and desired outcomes of the Kaituna River document is the most appropriate way to achieve the purpose of the [Resource Management Act 1991](#) in relation to the Kaituna River.*
- (5) In this section, a reference to a plan or a policy statement includes a reference to a proposed plan or a proposed policy statement.*

Proposed Change 5 (Kaituna River) has been drafted to meet the requirements and obligations of Section 123 of the Settlement Act and the purpose of the RMA while ensuring consistency with the RPS. The Kaituna River document vision is “*The Kaituna River is in a healthy state and protected for current and future generations.*”

Proposed Change 5 (Kaituna River) largely relates to recognising and providing for kaitiakitanga, stewardship, restoration of water quality and mauri, sustainable water and land use and the restoration, protection and enhancement of wetlands, aquatic and riparian ecosystems.

1.3 Structure of the document

The section 32 analysis is structured to provide a clear outline of why the proposed changes are required and reasons for the proposed objectives, policies and methods.

- Section 2** Provides the regulatory and policy context, including relevant legislation and policy documents which are required to be addressed for this change.
- Section 3** Discusses the development of the change, the consultation that has been undertaken and provides additional background information.
- Section 4** This discusses the scale and significance this change.
- Section 5** Highlights significant issues in the Kaituna River document and regionally significant issues for the Kaituna River catchment.
- Section 6** Provides the evaluation of the objectives against Part II of the RMA.
- Section 7** Identifies and assesses all reasonably practical options to achieve the proposed objectives and evaluates the policies and methods proposed to achieve each objective in terms of effectiveness, efficiency, benefits, costs and risks.
- Appendices** Support the above by providing an analysis/ review of objectives (1), policies (2) and Iwi/ Hapu Management Plans (3).

2 Statutory Context

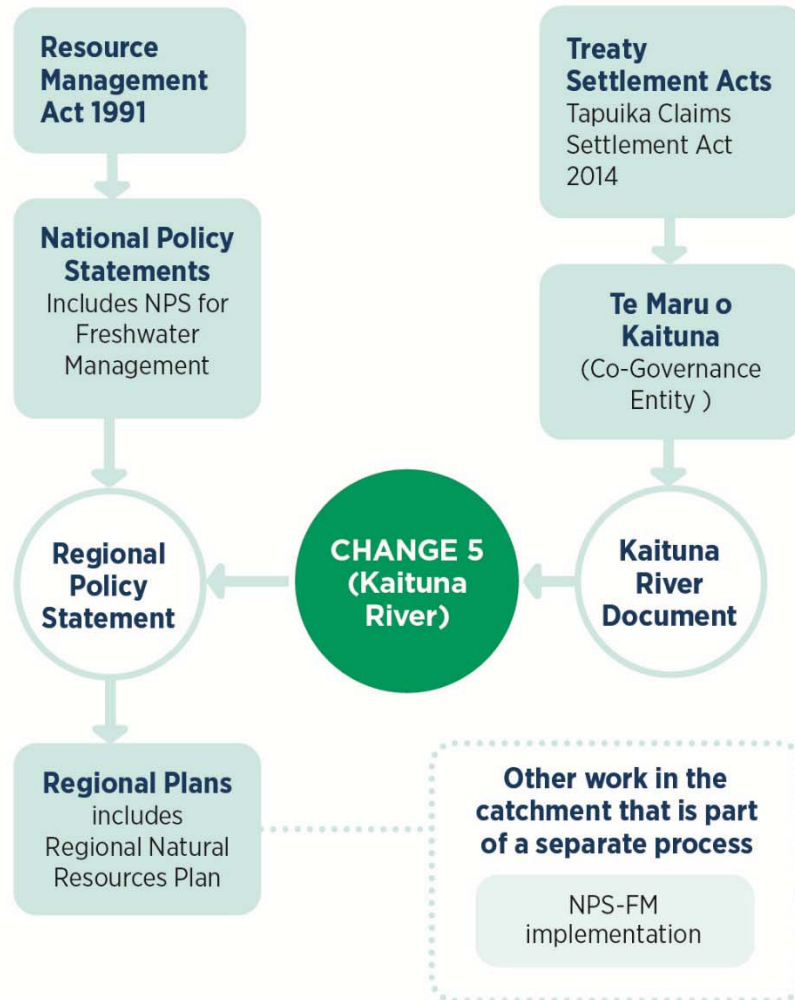
The following diagram illustrates the statutory context for the Kaituna River document and Proposed Change 5 (Kaituna River).



The following subsections provide a more detailed description of legislation and planning documents that are relevant to Proposed Change 5 (Kaituna River).

2.1 Resource Management Act 1991

This diagram illustrates how Proposed Change 5 (Kaituna River) relates to the Settlement Act requirements and the RMA:



Part 2 of the RMA sets out the purpose and the principles of the RMA. The Council's obligations to recognise and provide for the Kaituna River document within the RPS are subject to the requirements of the RMA. This is specified in the Settlement Act which states that the requirement to integrate the Kaituna River document applies to the extent that:

- (a) The vision, objectives and desired outcomes contained within the Kaituna River document relate to the resource management issues of the region or district; and
- (b) Recognising and providing for the vision, objectives and desired outcomes in the River document is the most appropriate way to achieve the purpose of the RMA in relation to the Kaituna River.⁴

⁴ Section 123(4) of the Tapuika Claims Settlement Act 2014

These qualifiers make it clear that the purpose of the RMA remains an overarching consideration in recognising and providing for the provisions of the Kaituna River document.

The purpose of the RMA is outlined in Section 5 as being the promotion of sustainable management of natural and physical resources. This means:

“managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being”

Matters of national importance are set out in Section 6 of the RMA. Many of these are relevant to Proposed Change 5 (Kaituna River), such as the requirement to recognise and provide for the protection of the natural character of wetlands, lakes, rivers and their margins⁵, the protection of areas of significant indigenous vegetation and habitats of indigenous fauna⁶, the maintenance and enhancement of public access to, and along the coastal marine area, lakes and rivers⁷, and the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga⁸ and historic heritage.⁹

Section 7 of the RMA requires that particular regard shall be had to specified matters. All of these matters are of relevance to Proposed Change 5 (Kaituna River).

Section 8 of the RMA requires that in achieving the purpose of the RMA, the Council shall take into account the principles of the Treaty of Waitangi. Proposed Change 5 (Kaituna River) seeks to fulfil Regional Council’s responsibilities under the Settlement Act and it is reflective of the co-governance river authority and statutory process to recognise and provide for the Kaituna River document. As such, it inherently reflects Treaty of Waitangi principles of partnership, participation and active protection.

Proposed Change 5 (Kaituna River) has been developed with a particular focus on aligning and incorporating the provisions of the Kaituna River document with as little modification as possible, to ensure the mana of the document and its intent is retained while also considering:

- (i) their appropriateness in achieving the purpose of the RMA; and
- (ii) the extent to which they relate to the resource management issues of the region.

2.2 Tapuika Claims Settlement Act 2014

For iwi, hapū and whānau of the Kaituna River and catchment, the river and its tributaries are a taonga which are valued for their clean water, healthy ecosystems, unique landscape, and natural beauty as well as recreational and cultural values. Restoring, protecting and enhancing the health and well-being of the Kaituna River was a matter of fundamental concern to Tapuika Iwi in the negotiation of their Treaty Settlement.

⁵ Section 6(a)

⁶ Section 6(c)

⁷ Section 6(d)

⁸ Section 6(e)

⁹ Section 6 (f)

The Settlement Act established Te Maru o Kaituna and tasked it with preparing the Kaituna River document. The legislation also requires that the RPS recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document. Proposed Change 5 (Kaituna River) to the RPS is therefore a legislative requirement (see Section 1.2 of this report).

2.3 Te Maru o Kaituna River Authority

Te Maru o Kaituna was established as a requirement of the Settlement Act to restore, protect and enhance the mauri (life giving capacity) of the Kaituna River and its tributaries. Te Maru o Kaituna is a co-governance partnership with council and iwi representatives appointed on behalf of:

- Tapuika Iwi Authority Trust
- Te Kapu ō Waitaha/Tapuika Iwi Authority Trust
- Te Pumautanga o Te Arawa Trust
- Te Komiti Nui o Ngati Whakaue
- Te Tāhuhu o Tawakeheimoa Trust (Ngati Rangiwewehi)
- Bay of Plenty Regional Council Toi Moana
- Rotorua Lakes Council
- Western Bay of Plenty District Council
- Tauranga City Council

The Settlement Act requires that Te Maru o Kaituna prepare and approve the Kaituna River document. As discussed above, a change to the RPS is required to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document.

2.4 The Kaituna River Document – Kaituna, He Taonga Tuku Iho

The Kaituna River document replaces the Kaituna River and Ongatoro/Maketu Estuary Strategy 2009 (the Strategy) and its implementation is founded on the collaborative direction and actions achieved through that Strategy. When preparing the Kaituna River document, Te Maru o Kaituna reviewed the Strategy and wove in parts it considered appropriate and consistent as required by section 125(4) of the Settlement Act.

Four key Kaituna River document outcomes had been previously identified in the Strategy, as these align with and remain relevant to the Kaituna River document's purpose. These being:

- (i) Improving water quality
- (ii) Restoring healthy ecosystems
- (iii) Ensuring sustainable resource use
- (iv) Supporting kaitiakitanga and local people's stewardship

The Kaituna River document was released in June 2018 having been prepared by Te Maru o Kaituna. This followed a public consultation process during its development to provide an opportunity for comments on the draft document. Te Maru o Kaituna considered the interests of those in the Kaituna River catchment as part of their preparation of the Kaituna River document.

It is a statutory document under the Settlement Act¹⁰ and its purpose is:

- a) *to promote the restoration, protection, and enhancement of the environmental, cultural, and spiritual well-being of the Kaituna River; and*
- b) *to the extent necessary to fulfil the purpose in (a) to provide for the social and economic well-being of people and communities.*

The Kaituna River document describes the major issues facing the Kaituna River and sets out a vision and desired outcomes for the future of the river, by providing direction for work to improve the river's health and guide its future management.

The Kaituna River document contains a set of eight objectives. These objectives and desired outcomes have provided a starting point for the preparation of Proposed Change 5 (Kaituna River).

2.5 Te Tini a Tuna - Kaituna River Action Plan (2019–2029)

In September 2019, Te Maru o Kaituna released *Te Tini a Tuna – Kaituna Action Plan 2019-29* (the Kaituna Action Plan) which sets out various actions to be undertaken by members of Te Maru o Kaituna to achieve the desired outcomes of the Kaituna River document.

At the time the Kaituna River document was under development, most of the Strategy (see Section 2.4) actions were either completed, or well underway. The re-diversion of the Kaituna River and creation of 100 ha of new wetlands being key projects.

The Kaituna Action Plan builds on these actions with projects programmed for 10 years from 2019 to 2029. For example, the Kaituna Action Plan seeks to create an additional 100 ha of wetland (so a total of 200 ha) within the next 10 years.

2.6 National Policy Statement for Freshwater Management

2.6.1 Background to National Policy Statements for Freshwater Management

The National Policy Statement for Freshwater Management (“NPS-FM”) has been amended a number of times to provide direction to local authorities about how they should carry out their responsibilities for managing freshwater.

At the time the Kaituna River document was under development from 2016 to its launch by Te Maru o Kaituna on 22 June 2018, the NPS-FM 2014 was operative. The NPS-FM 2014 was amended in August 2017 to incorporate amendments from the NPS-FM Amendment Order 2017.

On 3 September 2020, the NPS-FM 2020 replaced the NPS-FM 2014 (as amended in 2017). It came into force as part of an “Essential Freshwater” package focused on protecting and improving rivers, streams, lakes and wetlands. The NPS-FM 2020 continues to set direction to regional councils to work with tangata whenua and communities, to identify values and set limits that prioritise protecting the health and well-being of the water (including its quality and associated freshwater ecosystems).

Arguably, the biggest change with the NPS-FM 2020 is the introduction of the fundamental concept and framework of Te Mana o te Wai. Te Mana o te Wai refers to the fundamental importance of water and recognises that protecting the health of

¹⁰ Section 122 Tapuika Claims Settlement Act (2014)

freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai (water).

Te Mana o te Wai is relevant to all freshwater management and is about restoring and preserving the balance between the water, the wider environment, and the community. Under Te Mana o te Wai there is a hierarchy of obligations that prioritises:

- a) Firstly, the health and well-being of water bodies and freshwater ecosystems;
- b) Second, the health needs of people (such as drinking water); and
- c) Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

In summary, the NPS-FM seeks to maintain or improve the overall quality of freshwater resources while providing for the social and economic well-being of New Zealanders. The NPS-FM 2020 sets out a policy framework to achieve this.

2.6.2 Implementation of the NPS-FM

Section 55 of the RMA requires that a local authority must amend a document to give effect to a national policy statement where that national policy statement directs the local authority to do so. Part 4.1 of the NPS-FM 2020 requires notification of changes to the RPS and regional plans to give effect to the NPSFM as soon as *reasonably practicable*.

Policy E1b) of the NPS-FM 2014 requires that every regional council:

“...implement the policy as promptly as is reasonable in the circumstances, and so it is fully completed by no later than 31 December 2025”.

Regional Council has prepared an *Essential Freshwater Policy Programme* to implement the NPS-FM. It is specifically focused on improving the sustainable management of freshwater across the region. This programme provides a framework for how freshwater will be managed across the Bay of Plenty region, having drawn from a variety of relevant statutory and non-statutory planning documents.

It will require separate changes to the:

- RPS, including an objective explaining how the management of freshwater in the region will give effect to Te Mana o te Wai and objectives setting long-term visions for freshwater management units; and
- Regional Natural Resources Plan (RNRP), including (among many other requirements) measurable water quality and ecosystem health targets, limits, and methods to achieve them, as well as minimum flows and take limits.

At a Regional Council meeting held on 17 December 2020 a decision was made to approve the *Essential Freshwater Policy Programme* approach for implementing the NPS-FM. This includes an implementation programme to notify changes to the RPS and RNRP to give effect to the NPS-FM by July 2024.

The NPS-FM will primarily be given effect to within regional plan provisions, however, the RPS must also give effect to a national policy statement¹¹. The RPS review (not this change) is preceded by a formal review of the Water Quantity and Water Quality and Land Use chapters which is currently underway. The RPS review process will encompass any consequential amendments required to give full effect to the NPS-FM 2020.

Many of the objectives and actions contained in the Kaituna River document support NPS-FM objectives and policies. In particular, objectives and actions which relate to the involvement and consideration of tangata whenua values, roles and interests in resource management decision making and maintaining or improving water quality. In recognising and providing for the objectives and desired outcomes of the Kaituna River document in Proposed Change 5, (Kaituna River) care has been taken to ensure consistency with Regional Council's approach to NPS-FM implementation.

Elements of the Proposed Change 5 (Kaituna River) policy framework have been reframed using terminology aligned to the NPS-FM 2020 while continuing to meet the Tapuika Claims Settlement Act 2014 legislative requirements.

At a Te Maru o Kaituna workshop on Friday 26 June 2020, members sought amendments to Objectives 40 and 41 to include recognition for Te Mana o te Wai. It is important to reiterate that the purpose of Proposed Change 5 (Kaituna River) is to fulfil requirements under Treaty Settlement Claim legislation and not to implement the NPS-FM 2020.

While care will be made to ensure this policy framework aligns with and is consistent with NPS-FM requirements, a separate RPS change is programmed along with coordinated changes to the RNRP, to give effect to the NPS-FM at a regional level. It is important to emphasise that Proposed Change 5 (Kaituna River) does not constrain RPS and RNRP changes under the *Essential Freshwater Policy Programme* to give effect to the NPS-FM 2020 requirements.

2.6.3 Freshwater Planning Process

Because Proposed Change 5 (Kaituna River) relates to freshwater it is subject to the new Freshwater Planning Process (FPP) as set out in section 80A and Part 4, Schedule 1 of the RMA. The public notification and further submission process follow the standard RMA Schedule 1 procedure.

The FPP is overseen by the Chief Freshwater Commissioner who is appointed by the Minister for the Environment. The FPP commences when a change is notified and must be completed within two years. After the Schedule 1 process is initiated, the Chief Freshwater Commissioner will convene a Freshwater Hearing Panel to hear submissions and make recommendations. The Freshwater Hearing Panel will generally be made up of two freshwater commissioners, two regional council nominees and one tangata whenua nominee. The Chief Freshwater Commissioner has been given advance notice of Proposed Change 5 (Kaituna River).

Appeal rights are limited under the FPP. Where a council accepts the Freshwater Hearing Panel's recommendation, a person who submitted on that matter can appeal to the High Court on a point of law. Where a council rejects the Freshwater Hearing Panel's recommendation, a merit appeal is available to the Environment Court by a person whose submission addressed that particular matter.

¹¹ Section 62(3) RMA

2.7 Other National Policy Statements

The National Policy Statement on Urban Development (“NPS-UD”) took effect on 20 August 2020. It provides direction to councils about when and how cities should plan for growth and how to do this. The NPS-UD sets out the objectives and policies for planning for well-functioning urban environments under the RMA.

Policy 9 of the NPS-UD requires local authorities to take account of the principles of the Treaty of Waitangi. This includes taking into account the *values and aspirations of hapu and iwi for urban development* and providing opportunities in appropriate circumstances for tangata whenua involvement including in relation to sites of cultural significance.

The Kaituna River document identifies ‘*pressure on the Kaituna River due to land use intensification, urban growth and climate change*’ as one of the key issues facing the catchment that the objectives and desired outcomes seek to respond to. Te Puke is the main existing urban centre with the lower Kaituna River Catchment and Te Tumu is identified as a future urban growth area. Proposed Change 5 (Kaituna River) includes a variety of policy provisions to address this issue.

It is also recognised that future national policy statements may become relevant to Proposed Change 5 (Kaituna River) as it progresses through the Freshwater Planning Process. This includes the National Policy Statement for Highly Productive Land and the National Policy Statement for Indigenous Biodiversity.

2.8 National Planning Standards

The National Planning Standards are national directions introduced through the 2017 RMA amendments. The first National Planning Standards came into force on 3 May 2019, (with minor amendment in November 2019). Their purpose is to establish consistent structure, form, definitions, electronic accessibility, spatial/mapping for RMA policy statements and plans.

Proposed Change 5 (Kaituna River) had been drafted to ensure it is consistent with the operative RPS structure. There is a separate work programme for ensuring Regional Council gives effect to format and structure requirements required under the National Planning Standards 2019.

The National Planning Standards *Implementation Standard* specifies the timeframes that apply to the first set of planning standards. Regional Councils have until 3 May 2022, (three years from when the planning standards came into effect) to adopt the standards for the RPS, and up to ten years (by 3 May 2029) for regional plans. If a council undertakes a full policy statement or plan review within these timeframes the new policy statement or plan must meet the planning standards when notified for submissions.

The process for making the RPS National Planning Standards compliant effectively involves ‘rehousing’ the operative RPS content into a National Planning Standards compliant RPS structure and format. This also, includes complying with the definitions, mapping, regional spatial layers, and making any consequential amendments before reissuing the RPS. At this stage, it is not envisaged any Schedule 1 process will be needed.

The content of Proposed Change 5 (Kaituna River) will not be affected by the process for making the RPS National Planning Standards compliant as this will be limited to reformatting to fit the newly compliant RPS format and structure.

2.9 Iwi and Hapū Resource Management Plans

Section 61(2A) of the RMA requires regional councils to take into account relevant planning documents recognised by an iwi authority to the extent their content has a bearing on resource management issues of the region when changing its regional policy statement. The RPS includes the following provisions specific to iwi and hapū resource management plans which also promote their consideration during the development of Proposed Change 5 (Kaituna River):

Policy IW 2B: Recognising matters of significance to Maori

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

(a) Recognise and provide for:

(i) Traditional Māori uses and practices relating to natural and physical resources such as mahinga mātaītai, waahi tapu, papakāinga and taonga raranga;

(ii) The role of tangata whenua as kaitiaki of the mauri of their resources;

(iii) The mana whenua relationship of tangata whenua with, and their role as kaitiaki of, the mauri of natural resources;

(iv) Sites of cultural significance identified in iwi and hapū resource management plans; and

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

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

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

Method 12: Take into account iwi and hapū resource management plans in assessments of environmental effects

When assessing environmental effects of activities take into account potential effects on cultural values and relationships identified in any relevant planning document recognised by an iwi authority who may be affected.

Implementation responsibility: Regional council, city and district councils.

Method 45: Involve iwi and hapū in the development of regional plans

Involve iwi and hapu in the development of Regional Plans to achieve this Policy Statement, and in particular:

(a) Ensure that tangata whenua values and interests are reflected, and the objectives of the National Policy Statement on Freshwater Management are given effect to;

- (b) *Involve iwi and hapu and take into account iwi and hapu resource management plans in decision making relating to the setting of in-stream flows and the setting of allocation limits;*
- (c) *Develop or adapt appropriate methodologies to identify and provide for Maori cultural values including, where appropriate, specific cultural uses, in determining in-stream flows and the setting of allocation limits; and*
- (d) *Work with tangata whenua to identify cultural priorities for investigation in management of culturally significant waterbodies.*

Implementation responsibility: Regional Council.

Method 46: Consider the necessity of consulting potentially affected tangata whenua during consent processing

Acknowledge that Council officers, while preparing a report on a consent application, have a duty to consider whether consultation is necessary with tangata whenua who may be affected whenever the circumstances of the application indicate that a special background or relationship of Māori significance may be present.

Implementation responsibility: Regional Council and city and district councils.

Bay of Plenty Regional Council has over forty (40) iwi and hapū resource management plans formally lodged with it. To help inform the development of Proposed Change 5, (Kaituna River) iwi and hapū resource management plans lodged with Council and applicable to the Kaituna River Catchment have been reviewed to:

- Identify and understand the expectations of iwi and hapū with regards to significant resource management issues affecting the Kaituna River and its tributaries; and
- Help inform engagement with iwi and hapū about Proposed Change 5 (Kaituna River).

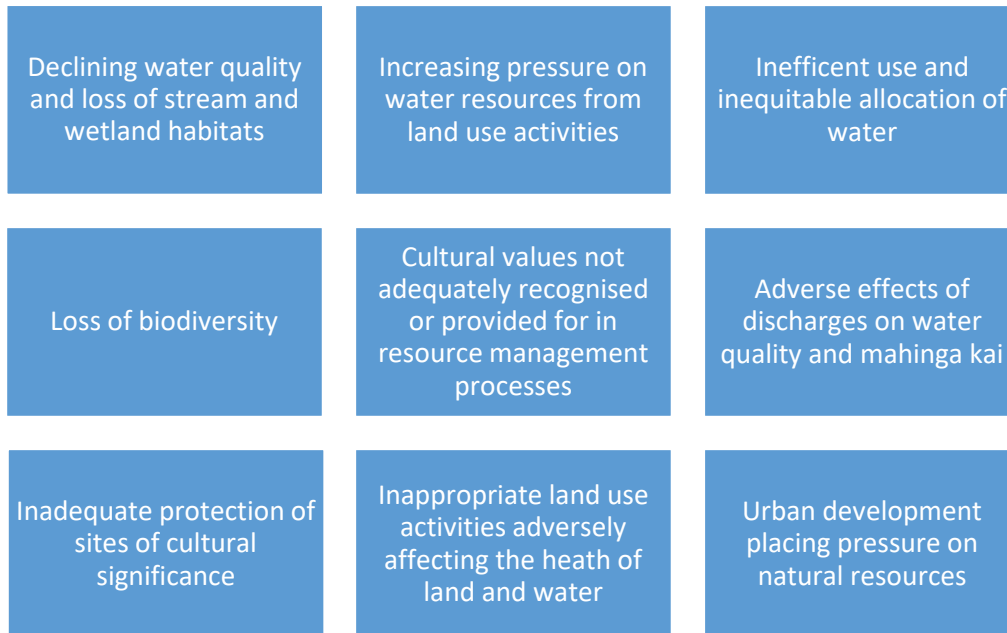
These resource management planning documents have been prepared by iwi and hapu with traditional rohe that are either wholly or partly within the Kaituna River Catchment area (identified on Map 4ab) in Proposed Change 5 (Kaituna River). Resource management issues and outcomes identified within these plans have been taken into account in the preparation of Proposed Change 5 (Kaituna River) and may be reflected in the Kaituna River document:

There are several iwi and hapu resource management plans that apply to the Kaituna River and its tributaries. These plans include:

- Ngati Rangiwewehi Iwi Environmental Management Plan (2012)
- Te Rautau Te Rahui Taketake – Ngati Whakaue ki Maketu Hapu Management Plan (2018-2028)
- He Mahere Taiao mo ngā Wai o Te Arawa – Te Arawa Lakes Environmental Plan (2019)
- Ngā Tikanga Whakahaere Taonga o Ngāti Pīkiao Whanui – Iwi Resource Management Plan (1997)
- Waitaha Iwi Management Plan (2014)
- Tapuika Environment Management Plan (2014)
- Tūhoromatanui - Ngā Pōtiki Environmental Plan (2019–2029)

2.9.1 Common themes identified in Hapu/Iwi Resource Management Plans

Issues of significance to iwi and hapū relevant to the significant resource management issues affecting the Kaituna River and its tributaries include the following:



Appendix 3 – Review of Iwi/ Hapu Resource Management Plans includes a summary of the key provisions from iwi and hapū resource management plans relevant to Proposed Change 5 (Kaituna River).

2.9.2 Comments from Taheke 8C and Adjoining Blocks Incorporation

The draft version of Proposed Change 5 (Kaituna River) was open for informal consultation from Monday, 24 August 2020 to Friday, 16 October 2020.

There were no comments received from iwi or hapu on Draft Change 5 (Kaituna River) but comments were received from the Proprietors of Taheke 8C and Adjoining Blocks Incorporation (Taheke 8C). Taheke 8C administer a large tract of Māori land at the headwaters of the Kaituna River catchment near Okere falls.

Taheke 8C are considered kaitiaki who represent tangata whenua interests for the approximately 1,214 ha of Maori Land they manage on behalf of their 1,328 shareholders. Traditionally a sheep and beef dry stock farming operation in 2017, Taheke 8C's management committee has diversified its operations to focus more on forestry and renewable geothermal energy development.

Taheke 8C have regional and district consents associated with its geothermal development and they have recently been awarded central government funding to assist its drilling options. Taheke 8C also have a development plan imbedded into the Rotorua District Plan which recognises its strategic development aspirations with provision for a variety of activities.

Taheke 8C are primarily concerned with ensuring their continued ability to undertake self-development of their lands for the benefit of current and future generations. Significant resource management issues of concern to Tahake 8C affecting the Kaituna River and its tributaries include the following:

Te Maru o Kaituna redefining Maori terms and tikanga contrary to how Taheke 8C would apply the same

Iwi and hapu should not over-ride manawhenua/Taheke 8C rights and interests

Economic development aspirations not unfairly impinged by RPS policy

Acknowledge Taheke 8C as tangata whenua

Health and safety concerns associated with enhanced public access across Maori land

Pukenga appointed as Hearing Commissioners should be qualified and experienced

Comments by Taheke 8C include:

- Concerns that the determination of Māori terms will disadvantage Māori land trusts and incorporations.
- The tribal boundary of Tapuika Iwi being artificially extended to Lake Rotoiti control gates.
- Proposed Change 5 (Kaituna River) should not impose more onerous obligations on Taheke 8C than on other landowners.
- Taheke 8C wants to proceed with their economic development aspirations without additional barriers.
- Māori land trusts being excluded from resource management decision making processes. Taheke 8C state *“it is not appropriate for Council to exclude Māori who do not or have chosen not to be represented by iwi”*
- Oppose any mechanisms to take its lands: *“Māori land should be excluded from any advocacy to establish reserves as Māori have lost enough land to reserves. There is no Queen’s Chain designated on Taheke 8C land adjoining Kaituna River. Kaituna River is a dangerous waterway where it adjoins Taheke 8C land and the Trust will not allow access across its land to enable river access”*
- Legal, health and safety concerns and do not support public access across its lands particularly given its extensive forestry and geothermal operations.
- Reference to some RPS methods of implementation which are proposed to be linked to policies introduced as part of Proposed Change 5 (Kaituna River).

2.9.3 Response to issues raised by Taheke 8C

The Local Government Act 2002 (LGA), RMA and RPS all include specific provisions that require council’s to enable Māori involvement in local government decision making processes. Proposed Change 5 (Kaituna River) was opened for informal comments to provide an opportunity for landowners, stakeholders, iwi and hapū to engage with Regional Council to have their concerns raised prior to the formal Schedule 1 process commencing and:

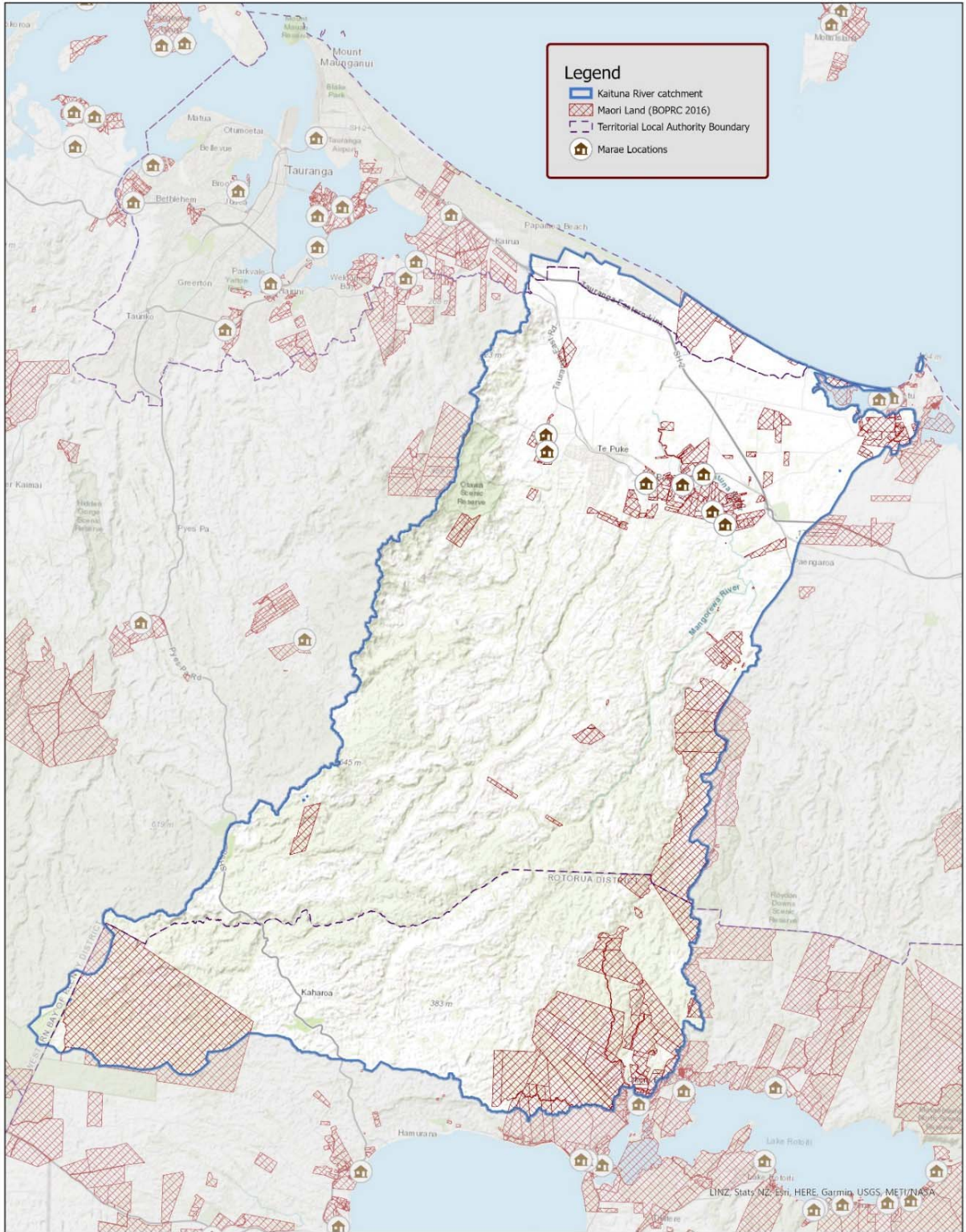
- There are RPS policies that support Taheke 8C’s ability to participate and/ or support issues raised. For example RPS Policies: IW IB: Enabling development of multiple-owned Maori land.
- IW 2B: Recognising matters of significance to Māori.
- IW 6B: Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects.

Statutory acknowledgements are an acknowledgement by the crown of the special cultural association specific iwi have with certain areas including the Kaituna River and its tributaries. These Treaty Settlements and associated processes are negotiated between iwi and central government (not Regional Council) and statutory acknowledgements for an area (whether on land or water) can sometimes apply to one or more iwi. Regional Council acknowledge other tangata whenua can have cultural associations with these same areas.

Limitations of the statutory acknowledgements expressly acknowledge they do not affect the lawful rights or interests of any person who is not a party to a deed of settlement. Proposed Plan Change 5 (Kaituna River) does not include amendments to methods identified by Taheke 8C, rather it promotes them as a means toward implementing proposed policies they could be linked to (i.e. they are either linked (included) or not (excluded)).

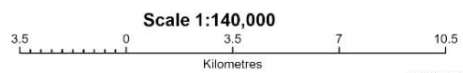
2.10 Indicative Map of Maori Land ownership in the Kaituna River Catchment

This is an indicative map of land held in Maori Land title based on Regional Council information as at October 2016.



Projection and Grid Information
 HORIZONTAL DATUM: New Zealand Geodetic Datum 2000
 For practical purposes, NZGD2000 equates to WGS84
 VERTICAL DATUM: Motukiki
 PROJECTION: New Zealand Transverse Mercator 2000
 © Bay of Plenty Regional Council, 2021
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Māori Land in the Kaituna River co-governance catchment



Printed 17/03/2021

638113_MaoriLandOwnershipMap

3 The Development of Proposed Change 5 (Kaituna River)

3.1 Te Maru o Kaituna and Council committees

The draft version of Proposed Change 5 (Kaituna River) was first reported to Te Maru o Kaituna on 19 October 2018 and shortly thereafter to the Regional Direction and Delivery Committee¹² on 30 October 2018. It was given approval to proceed by the Regional Direction and Delivery Committee but was placed on hold as Te Maru o Kaituna required time to develop the Kaituna Action Plan.

The Kaituna Action Plan was consulted on in August 2019 prior to approval by Te Maru o Kaituna on 27 September 2019. Following this, in October 2019 staff commenced development of a draft Proposed Change 5 (Kaituna River) policy framework for internal consultation purposes. A series of internal staff workshops and discussions took place. The first version of draft Proposed Change 5 (Kaituna River) and a Communication and Engagement Plan for this was approved by senior management in December 2019.

On 18 February 2020 following a series of internal discussions and workshops, a report was presented to Regional Council's Strategy and Policy Committee seeking:

- The adoption of project timeframes and a proposed process for developing Proposed Change 5 (Kaituna River) up to the point of public notification for submissions; and
- Approval for the policy framework to go out for community and stakeholder consultation.

The Strategy and Policy Committee rejected the recommendation to approve draft Proposed Change 5 (Kaituna River) for community and stakeholder consultation and instead directed staff to hold a Councillor workshop on the draft policy framework.

The Strategy and Policy Committee workshop was subsequently held on Tuesday, 5 May 2020 via Zoom during the COVID-19 lockdown period. At that meeting, informal approval was given to staff to commence consultation with Te Maru o Kaituna, with direction to report any feedback received back to the 11 August 2020 Strategy and Policy Committee meeting.

Staff presented draft Proposed Change 5 (Kaituna River) to Te Maru o Kaituna at a workshop on Friday, 29 May. This was the first opportunity for Te Maru o Kaituna to consider the contents of draft Proposed Change 5 (Kaituna River). Key points made by Regional Council staff included:

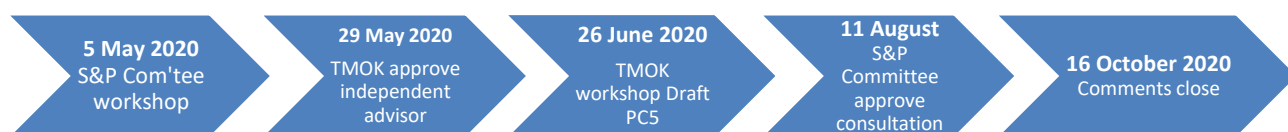
- Advice that Regional Council were now progressing the development of Proposed Change 5 (Kaituna River) and Te Maru o Kaituna, views and comments were invited on the draft policy framework;
- Learnings from the first Treaty co-governance RPS change process (i.e. Change 3 (Rangitāiki River)) and a recommendation to appoint an independent advisor to support Te Maru o Kaituna through the RPS change process, including clarification of provisions, explaining process and assisting with making a formal submission as this would be of significant value;
- The Kaituna River document was not necessarily in 'RMA speak';

¹² The Regional Direction and Delivery Committee is a disestablished Bay of Plenty Regional Council committee that was set up to approve and review statutory and non-statutory policy, plans and strategies. This Committee has been replaced by the Strategy and Policy Committee (from 2020).

- Change 3 (Rangitāiki River) to the RPS developed a template for subsequent Treaty Co-Governance RPS changes and careful discretion is required to translate the River document provisions into the RPS, to ensure it strongly reflects its intent while also aligning with the RMA's purpose;
- Section 123(4) of the Settlement Act contains two conditions to the obligation to recognise and provide for the Kaituna River document being they:
 - apply only to the extent the contents of the Kaituna River document relate to the resource management issues for the region; and
 - are considered the most appropriate way to achieve the purpose of the RMA in relation to the Kaituna River;
- Based on experience with RPS Change 3, (Rangitāiki River) a Schedule 1 process is pending and it is important individual Te Maru o Kaituna members' (e.g. separate iwi and councils) act independently, in determining whether to make their own submissions and comments on draft Proposed Change 5 (Kaituna River) to preserve their own interests.

Te Maru o Kaituna, resolved to appoint an independent advisor to review draft Proposed Change 5 (Kaituna River) and report to the 26 June 2020 Te Maru o Kaituna Workshop on: whether the Settlement Act's legislative requirements to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document were appropriately recognised and provided for in draft Proposed Change 5 (Kaituna River).

Key steps involved in developing Proposed Change 5 since February 2020 are summarised as follows:



3.2 Te Maru o Kaituna independent review of Draft Change 5 (Kaituna River)

Dave Marshall, Consultant was appointed to provide an initial independent technical review of Draft Change 5 (Kaituna River) Mr Marshall's report dated 18 June 2020 concluded that: Draft Proposed Change 5 appropriately recognises and provides for the vision, objectives and desired outcomes of the Kaituna River document to the extent that it relates to achieving the purpose of the RMA.

Further to this, Mr Marshall recommended:

- Minor changes to provide clarity and consistency and;
- Te Maru o Kaituna consider requesting an opportunity to review and comment on Proposed Change 5 (Kaituna River) following the completion of initial community and stakeholder consultation prior to the Strategy and Policy Committee considering whether to adopt Proposed Change 5 (Kaituna River). This would take place prior to the commencement of the RMA Schedule 1 submissions process.

3.3 Consultation and comments on draft Proposed Change 5 (Kaituna River)

The Strategy and Policy Committee, at their 11 August 2020 meeting, considered feedback from, and endorsed most changes from Te Maru o Kaituna. Approval was

granted to commence broader community, iwi/hapū and stakeholder consultation. Draft Change 5 (Kaituna River) was released for comment on Monday, 24 August 2020 with the closing date for comments being Friday 16 October 2020.

Notice of this release was sent to all iwi and hapu contacts for the Kaituna River catchment and to persons/organisations who made comment on the Kaituna River document. They were invited to consult with Regional Council staff and comment on Draft Change 5 (Kaituna River).

Formal comments were received from 12 parties as listed:

- New Zealand Kiwifruit Growers Incorporated
- Freda Woisin
- Transpower New Zealand Limited
- Western Bay of Plenty District Council
- Tauranga City Council
- Eastland Generation Ltd
- Royal Forest and Bird Protection Society of New Zealand
- Te Tumu Landowners Group
- Taheke 8C
- Federated Farmers
- Rotorua Lakes Council
- Horticulture New Zealand

In addition, the Department of Conservation and AFFCO New Zealand Limited (Rangiuru Plant) have reviewed Draft Change 5 (Kaituna River) and advised they had no concerns during this informal consultation phase but they did express an interest in reviewing the notified Proposed Change version during the Schedule 1 process.

Copies of comments are available on [Council's website](#). Most comments received generally support Draft Change 5 (Kaituna River) but matters were raised on specific provisions.

3.4 Response to comments received on Draft Change 5 (Kaituna River)

Regional Council staff across various teams considered comments received to prepare recommendations in response. Staff recommendations made in response to comments received were workshopped with the Strategy and Policy Committee on 10 December 2020. Following this workshop staff updated the staff recommendations version to include consideration of feedback received from Strategy and Policy Committee members.

On 5 February 2021, staff presented an updated recommendations report to a Te Maru o Kaituna meeting. Te Maru o Kaituna requested additional amendments to: ensure consistency and to highlight and strengthen cultural references. These amendments were subsequently endorsed at the Strategy and Policy Workshop which was held on 23 March 2021. Regional Council formally approved publicly notifying Proposed Change 5 (Kaituna River) at their 1 April 2021 meeting.

4 Scale and Significance

The approach taken to this evaluation of Proposed Change 5 (Kaituna River) has been determined by the scale and significance of the proposal. The scale and significance has been assessed in the table below with a rating applied based on the scale of the impact in a regional setting and in the context of the existing RPS.

Criteria	Rating	Comment on Scale and Significance
Reasons for the change	Medium	Proposed Change 5 (Kaituna River) is required under s123 of the Settlement Act to implement the Kaituna River document, which is a Treaty Settlement co-governance planning document. The Regional Council has a statutory obligation to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document in the RPS.
Degree of change	Medium	Proposed Change 5 (Kaituna River) has been formatted consistent with RPS Change 3 (Rangitāiki River) which recognised and provided for the vision, objectives and desired outcomes of the Rangitāiki River document. This involved the creation of a new Treaty Co-Governance chapter in the RPS which is specifically intended to contain provisions that recognise and provide for other Treaty Co-Governance documents like the Kaituna River document and that pending for Tauranga Moana. Many of the objectives, policies and methods included in Proposed Change 5 (Kaituna River) are aligned or consistent with existing RPS provisions with refinement to reflect outcomes sought specifically for the Kaituna River.
Affected parties	Medium	Proposed Change 5 (Kaituna River) will primarily affect people who live and/or undertake activities within the Kaituna River Catchment see Map 4ab. In particular those parties that take ground or surface water and/ or discharge to the river. The owners and occupiers of land containing wetlands or riparian habitats which support indigenous flora and fauna will also be affected.
Impact on Maori	High	The change is required to recognise and provide for the vision, objectives and desired outcomes of a Treaty Settlement co-governance document and is therefore of high significance to iwi and hapu in the Kaituna River catchment. In particular, Tapuika Iwi, whose treaty settlement includes obligations to undertake this RPS change, establish Te Maru o Kaituna co-governance entity and develop the Kaituna River document. This includes provisions in Proposed Change 5 (Kaituna River) which acknowledge traditional and contemporary relationships that iwi and hapu in this catchment have with the Kaituna River, including sites and resources of cultural significance, taonga, natural resources and the exercise of kaitiakitanga.

Criteria	Rating	Comment on Scale and Significance
Type and duration of environmental effects	Medium	Proposed Change 5 (Kaituna River) will support a wider programme including the Kaituna Action Plan and implementation in regional and district plans to manage ongoing effects into the future. The most significant effects will be in relation to: improving water quality, sustainable allocation and efficient use of water, and the restoration, protection and enhancement of indigenous aquatic, riparian and wetland vegetation and habitats.
Geographic extent	Medium	The extent of the area affected by Proposed Change 5 (Kaituna River) has been determined by the Settlement Act. These provisions relate to the Kaituna River and its tributaries as defined on the Office of Treaty Settlements deed map OTS-209-79 which has been replicated in Map 4ab in Proposed Change 5 (Kaituna River). This covers an area of 58,000 ha.
Degree of risk or uncertainty	Medium	<p>Significant investment and work has already been funded and undertaken and/or committed to, by Regional Council and Te Maru o Kaituna to implement the actions contained in the Kaituna Action Plan. This plan is intended to deliver on the vision, objectives and desired outcomes of the Kaituna River document over ten years (2019 to 2029).</p> <p>When combined together this work has reduced the level of uncertainty and risk associated with Proposed Change 5 (Kaituna River). The added benefit Proposed Change 5 (Kaituna River) provides is to imbed the Kaituna River document vision, objectives and desired outcomes into the RPS which will in turn influence regional and district plan changes and provide more clarity for assessment of resource consents affecting the Kaituna River.</p>

Overall Proposed Change 5 (Kaituna River) is considered to be of medium or moderate scale and level of significance in the context of the RPS, although some aspects of the change are of greater or lesser significance.

This conclusion has been reached having considered that:

- Catchment or sub-regional specific provisions already exist in the RPS for the Rotorua Te Arawa Lakes, Western Bay of Plenty sub-region and the Rangitāiki River.
- The operative RPS includes a Treaty Co-Governance section dedicated to the inclusion of objectives and provisions required to fulfil Treaty of Waitangi settlement legislation obligations, to recognise and provide for documents such as the Kaituna River document.
- Proposed Change 5 (Kaituna River) objectives and provisions are generally consistent with RMA Part 2 matters and existing areas of policy direction contained in the RPS relating to matters of significance to Maori.

- Proposed Change 5 (Kaituna River) refines the policy framework and articulates how the matters are to be addressed specifically within the Kaituna River catchment. For example, Proposed Change 5 (Kaituna River) proposes an approach to restore water quality that differs from the catchments at risk framework in the RPS in a way that is aligned with, but does not limit full implementation of the NPS-FM.
- Proposed Change 5 (Kaituna River) is highly significant to tangata whenua in the catchment, given the origin and subject matter of the Kaituna River document. The change is also of high relevance to landowners, industry stakeholders and the wider community within the catchment. In a regional context, the impact of the change is generally limited to the catchment and activities within it.
- Proposed Change 5 (Kaituna River) incorporates the collaborative direction and actions achieved through the Strategy (see Section 2.4 of this report).

The implementation of the Kaituna River document by way of the Kaituna Action Plan (see Section 2.5) illustrates that many of the provisions contained within Proposed Change 5 (Kaituna River) are already in the process of being actioned via projects on the ground within the Kaituna River Catchment. This work reduces the level of uncertainty and risk associated with the provisions of Proposed Change 5 (Kaituna River).

4.1 Assessment of reasonably practicable options

As previously discussed, Regional Council is obligated to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document in preparing or changing the RPS. The Settlement Act does not prescribe how this is achieved or incorporated into the RPS.

The RPS has an established structure and format for the inclusion of co-governance provisions within a Treaty Co-Governance chapter. This chapter was introduced as part of Change 3 (Rangitāiki River) to the RPS which added objectives and provisions to recognise and provide for the Rangitāiki River Document.

The approach taken by Regional Council to incorporate Treaty Co-Governance documents into the RPS is: the use of the term “recognise and provide for” in an RMA context means that these values have a significant priority and cannot be merely an equal part of a general balancing exercise and there is a need to make “actual provision” for these matters.

As the RPS has already established a structure and format for the specific purpose of incorporating documents such as the Kaituna River document, it is not considered necessary to identify or consider alternative options to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document within the RPS.

The key reasons that this approach has been adopted for recognising and providing for Treaty co-governance documents are it:

- Avoids considerable amendments to existing RPS provisions;
- Retains the mana of the original document and provides clarity regarding the way it has been recognised and provided for in the RPS; and it
- Establishes a consistent framework for including further Treaty co-governance documents.

Typically, in these types of evaluations, the “do nothing” option is also included. In this case, however, relying on the existing RPS objectives and provisions to recognise and provide for the Kaituna River document, was not considered a viable option, as the Settlement Act requires that Regional Council recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document to be specifically reflected in the RPS and presently they are not.

5 Significant Issues

5.1 Kaituna River document Issues

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. The Kaituna River document's vision is:

"The Kaituna River is in a healthy state and protected for current and future generations."

The Kaituna River document includes significant resource management issues which are of concern within the Kaituna River. These issues relate to increasing water demand, water quality and its mauri, land use intensification, kaitiakitanga, ecosystem health, pressure on wetland habitats and the degraded health of the Maketu Estuary.

Te Maru o Kaituna recognise certain areas of the Kaituna River are in a poor state of health and require immediate attention. Implementation of the Kaituna River document seeks to address some of these concerns. For example, Te Maru o Kaituna acknowledges the Kaituna River Re-diversion and Te Awa o Ngātoroirangi/Maketū Estuary Enhancement Project will significantly increase the volume of water into the estuary, in a way that maximises the ecological and cultural benefits and will also re-create at least 20 ha of wetland habitat.

Another issue is substantial residential expansion adjoining existing urban areas of Pāpāmoa East, Te Puke and Paengaroa, including planned industrial and commercial activity at the Rangiuru Business Park and Te Tumu and Wairakei which have been identified as significant urban growth areas in the SmartGrowth Strategy¹³ to cater for population growth up to at least 2051.

Urban and industrial growth, as well as changes in rural activities, bring challenges, including pressure on freshwater 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 those values associated with these areas are protected and enhanced.

The Kaituna River document intent is to deliver collective objectives, outcomes and ultimately its vision, by providing guidance and direction supported by this change and through implementation of the Kaituna Action Plan.

5.2 Proposed regionally significant issues for the Kaituna River Catchment

The RPS framework does not address the Kaituna River specifically. The issues highlighted in the Kaituna River document above align with the following significant resource management issues for the Kaituna River, which are proposed to be included in Proposed Change 5 (Kaituna River):

¹³ SmartGrowth was launched in 2004 to provide a unified growth management strategy for the western Bay of Plenty with a 50-year horizon. See <http://www.smartgrowthbop.org.nz>

1 Water demand is high and could pose a risk for springs, surface water bodies and associated tangata whenua, ecological and recreational values

Current consented allocation exceeds water quantity limits in several sub-catchments of the Kaituna River and in parts of the underlying groundwater resource. Increasing water demand particularly for agriculture, horticulture, industrial and municipal uses continues to increase pressure on key values including tangata whenua, ecological and recreational values. This 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 growth will also place increased demand on water in the lower Kaituna.

2 Urban growth, climate change, rural land use intensification

Rural land use intensification, urban growth and climate change effects are all placing pressure on the state of the Kaituna River, ecosystem health 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 including Maketū Estuary. Popular swimming spots are not always swimmable due to poor water quality from e-coli.

4 Waterbody modification impacts

Mahinga kai, ecosystem health and natural character values are being impacted by waterbody 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. These spiritual and physical relationships have become increasingly strained over time due to colonisation, land confiscation, urban migration and decisions of local authorities. 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 is contributing to the degraded ecosystem health in the Maketū Estuary. Reduction of contaminants, nutrients, sediment and bacterial inputs from the catchment are necessary to improve the health of the estuary.

6 Evaluation of the Objectives

Section 32(1)(a) requires an evaluation of the objectives of Proposed Change 5, (Kaituna River) to examine whether they are the most appropriate way to achieve the purpose of the RMA. This assessment is provided in the following sub-sections.

In this case, a set of objectives have already been developed within the Kaituna River document and there is a statutory obligation to recognise and provide for these objectives within the RPS. An assessment is required to determine the extent that these objectives relate to the resource management issues of the region and that the objectives are consistent with the purpose of the RMA¹⁴.

The overall approach to the integration of the Kaituna River document into the RPS has been outlined in previous sections of this report. The RPS has an existing structure which is specifically designed to incorporate Treaty Co-Governance documents and this pre-determines how the Kaituna River document is to be recognised and provided for within the RPS.

For this reason, the evaluation in this section does not consider broad options for including the subject matter of each objective in the RPS (for example, by modifying existing objectives). This analysis does, however, consider if additional objectives are necessary as it assesses the extent that each of the proposed objectives duplicate existing RPS objectives.

6.1 Objective 40

Objective 40: The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised, strengthened, enhanced and provided for.

This objective is broadly applicable to many of the issues identified in the Kaituna River document. It is also relevant to several existing RPS Iwi Resource Management issues:

Issue 1: Inadequate recognition of kaitiakitanga, the Maori environmental resource management system and Te Tiriti o Waitangi principles.

Issue 2: Insufficient protection of tangata whenua environmental values.

Issue 4: Degradation of mauri. The mauri of water, land, air and geothermal resources has been degraded and needs to be protected and restored.

Issue 7: Damage and destruction of special cultural sites.

These existing issues in the RPS are linked to the following objectives:

Objective 13: Kaitiakitanga is recognised and the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are systematically taken into account in the practice of resource management.

Objective 14: Partnerships between Bay of Plenty Council, district and city councils and iwi authorities.

¹⁴ Section 123(4) of the Tapuika Claims Settlement Act 2014.

Objective 15: Water, land, coastal and geothermal resource management decisions have regard to iwi and hapū resource management planning documents.

Objective 17: The mauri of water, land, air and geothermal resources is safeguarded and where it is degraded, where appropriate, it is enhanced over time.

Objective 21: The recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Objective 40 aligns with existing RPS Iwi Resource Management issues in the Kaituna River catchment but it is necessary as there are no RPS objectives that specifically recognise, enhance and protect iwi and hapu relationships with the Kaituna River. Existing RPS Objective 21 infers an historical relationship, whereas proposed Objective 40 specifically refers to both traditional and contemporary relationships iwi and hapu have with the Kaituna River.

RPS objectives and policies align with proposed Objective 40 but they are implemented regional wide and this would not fulfil Regional Council's statutory obligation to recognise and provide for the objectives of the Kaituna River document. Objective 40 is specific to the Kaituna River catchment as it clearly articulates a desired outcome by Te Maru o Kaituna and recognition that iwi and hapu have a relationship with the Kaituna River.

Objective 40 has a low degree of risk and uncertainty as it is consistent with the RMA Part 2, in particular its purpose: managing the use, development and protection of natural and physical resources in a way that enables people to provide for their social and cultural well-being.

Objective 40 is aligned with existing RPS objectives and policies which are given effect to by regional and district plans. Notwithstanding which the Settlement Act requires that amendments to a regional policy statement, regional plan or district plan must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document. Until that is achieved, local authorities must have regard to the Kaituna River document for any resource consents received.

In summary, the objective is consistent with the purpose of the RMA, specifically managing the use, development and protection of natural and physical resources in a way that enables people to provide for their social and cultural well-being.

Proposed objective 40 also reflects the legislative requirements of the corresponding Kaituna River document objectives, in particular Objective 1 and it is not expected to result in additional costs on the community or sectors of the community. Given the existing obligation for all local authorities to have regard to the Kaituna River document for consent applications and their obligation to include in RMA planning documents, this should also assist with future regional and district/city plan changes¹⁵.

¹⁵ Section 123 (3) Tapuika Claims Settlement Act 2014

6.2 Objective 41

Objective 41: Water quality and the mauri of the water, including groundwater, in the Kaituna River is restored to a state which provides for ecosystem health, human contact, threatened species and mahinga kai values.

This objective is directed at addressing the following Kaituna River document issues listed below and it aligns with Objectives 3, 4 and 5:

- *Pressure on the Kaituna River due to land use intensification, urban growth and climate change.*
- *Trends over time show nitrates are increasing*
- *Ensuring swimability at popular swimming spots.*
- *Mahinga kai and natural character values being impacted by waterbody modification (drainage schemes) especially in the Lower Kaituna Catchment.*
- *The health of the Maketu Estuary, Ecological Health, mahinga kai, cultural and recreational values are significantly degraded in the estuary.*
- *Declining water quality.*
- *Land use and development are placing increased pressure on wetland habitats.*

Proposed Objective 41 also addresses existing RPS Water Quality and Land Use Issue 1: *Decline in water quality from land use.*

There is alignment between proposed Objective 41 and RPS Objective 17 “*The mauri of water, land, air and geothermal resources is safeguarded and where it is degraded, where appropriate, it is enhanced over time*” and Objective 27, which seeks that “*The quality and mauri of water in the region is maintained or, where necessary to meet the identified values associated with its required use and protection, enhanced.*”

Objective 41 is more specific about the outcome sought within the Kaituna River catchment compared with the broader approach of Objective 27. The proposed objective is necessary to articulate desired outcomes in the Kaituna River document which seek to restore water quality in this catchment and this would not be sufficiently recognised and provided for by Objective 27 alone, which requires an outcome to be determined by assessing values within the waterbody. The use of the term “restored” has been used rather than “improved” or “enhanced” to ensure that the objective best reflects the intent of the Kaituna River document.

Regional Councils are responsible for controlling the use of land¹⁶ and discharges to land and water¹⁷ for the purposes of maintaining and enhancing water quality. As such, this objective is within the powers of Regional Council and it is focused on achieving the purpose of the RMA, in particular safeguarding the life-supporting capacity of water and ecosystems under Section 5(2)(b).

Objective 41 also assists in giving effect to the fundamental concept of Te Mana o te Wai in the NPS-FM 2020. The concept of Te Mana o te Wai refers to the vital importance of water and it recognises that protecting the health of freshwater protects the health and well-being of people and the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

¹⁶ Section 30(1)(c)

¹⁷ Section 30(1)(f)

The objective achieves the purpose of the RMA and is consistent with existing objectives within the RPS, as discussed above. As referred to in Section 2 of this report, Regional Council's *Essential Freshwater Policy Programme* sets out a pathway to implement the NPS-FM within the region. It is acknowledged that RPS Change 5 (Kaituna River) precedes completion of that programme, including the NPS-FM national objectives framework process that will determine the priority values for managing water quality in the catchment, through changes to the RNRP which is scheduled to be notified by July 2024. The proposed objective supports this work but does not constrain full implementation of the NPS-FM.

Objective 41 has a medium level of risk and uncertainty as it is acknowledged that it does not specify a measureable standard for water quality to be restored to. The objective does, however, clearly require an improvement in water quality in accordance with corresponding objectives in particular Objective 3 and desired outcomes in the Kaituna River document which has been endorsed by Te Maru o Kaituna to reflect collective aspirations of the community, iwi and hapu within the catchment.

6.3 Objective 42 and Objective 43

Objectives 42 and 43 are complementary as both deal with water quantity within the Kaituna River. Given the similar subject matter it is appropriate to assess these objectives together.

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.

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.

Both objectives aim to address issues in the Kaituna River document in particular:

- *Increasing water demand particularly for agriculture, horticulture and municipal uses. Current water allocation exceeds region-wide limits in several sub-catchments of the Kaituna River and in the lower Kaituna aquifer.*
- *Pressure on the Kaituna River due to land use intensification, urban growth and climate change.*
- *Mahinga kai and natural character values being impacted by waterbody modification (drainage schemes) especially in the Lower Kaituna Catchment.*

These objectives also relate to water quantity issues in Chapter 2.10 of the operative RPS, particularly Issue 3 - *Over-abstraction is degrading some water resources* and Issue 4 – *Inefficient use*.

Objectives 42 and 43 are consistent with RPS water quantity Objective 30:

“The quantity of available water:

- Provides for a range of uses and values;*
- Is allocated and used efficiently;*
- Safeguards the mauri and life supporting capacity of water bodies; and*
- Meets the reasonably foreseeable needs of future generations.”*

These objectives focus on two dimensions of water allocation.

Objective 42 seeks to ensure there is sufficient water in the Kaituna River to sustain a variety of values. Objective 43 is focused on the allocation and use of available water to ensure it is sustainable and used efficiently to provide for the economic and cultural well-being of iwi and communities.

Objective 42 aligns with clause (a) and (c) of RPS Objective 30 with additional detail provided regarding the range of values that need to be provided for within the Kaituna River. Relying on the existing objective would not be sufficient to recognise and provide for the Kaituna River document as Regional Council is obligated to do.

Objective 43 relates to clauses (b) and (d) of Objective 30 but with a more direct focus on ensuring that water is allocated in a way that provides for the social, economic and cultural well-being of iwi, hapū and communities.

As part of the *Essential Freshwater Policy Programme* identification of values for water bodies using the National Objectives Framework are being progressed. The proposed objectives support this work by highlighting the range of values that are important within the Kaituna River as part of work being undertaken to implement the NPS-FM.

Controlling the quantity, level and flow of water within water bodies is the responsibility of regional councils¹⁸. The proposed objectives achieve the purpose of the RMA, are consistent with existing objectives within the RPS, as discussed above and have an acceptable level of uncertainty and risk.

Proposed Objectives 42 and 43 are not anticipated to result in significant additional costs on the community or sectors of the community.

6.4 Objective 44

Objective 44 - The environmental well-being of the Kaituna River is enhanced through best management practices.

Objective 44 aims to address the following issues from the Kaituna River document:

- *Pressure on the Kaituna River due to land use intensification, urban growth and climate change;*
- *Trends over time show nitrates are increasing;*
- *Mahinga kai and natural character values being impacted by waterbody modification (drainage schemes) especially in the Lower Kaituna Catchment;*
- *The health of the Maketu Estuary, Ecological Health, mahinga kai, cultural and recreational values are significantly degraded in the estuary;*
- *Declining water quality; and*
- *Land use and development are placing increased pressure on wetland habitats.*

¹⁸ Section 30(1)(e)

The Kaituna River document Objective 6 *Mahinga Whenua Land Use* seeks to enhance the well-being of the Kaituna River through improved land management practices. Proposed Objective 44 aligns with this objective and it supports the achievement of outcomes sought by existing RPS objectives including:

Objective 27 *The quality and mauri of water in the region is maintained or, where necessary to meet identified values associated with its required use and protection, enhanced.*

Objective 29 *Land use activities are:*

- (i) Within the capability of the land to support the activity;
- (ii) Integrated with the wider environmental values of their surroundings; and
- (iii) Within the capacity of receiving waters to assimilate any discharge.

Objective 44 seeks a similar outcome to these existing RPS objectives, but they are not sufficient to recognise and provide the desired outcomes contained in the Kaituna River document under Objective 6. Objective 29 seeks to ensure land uses are appropriate to the characteristics and capacity of the land, whereas Objective 44 sets a higher standard requiring best management practice.

In addition, Objective 44 brings together elements of existing RPS policies by directly linking land use activities with the health of waterways and making it specific to the Kaituna River Catchment. This is a more holistic approach which is consistent with Te Mana o te Wai.

The proposed objective achieves the purpose of the RMA by managing the use of land within the catchment in a way that provides for cultural well-being and safeguards the life-supporting capacity of air, water, soil and ecosystems.

Objective 44 has an acceptable level of uncertainty and risk and it is within Regional Council's powers, which include the control of the use of land for maintaining and enhancing the quality of water in water bodies and the control over the use of water and discharges to water.

It is however acknowledged that Objective 44 has the potential to result in some additional costs to landowners within the Kaituna River Catchment, as it seeks best management practices for land use practices to represent the outcomes sought by Kaituna River document and Te Maru o Kaituna, in particular under Objective 6. This is consistent with and supported by a wide range of projects already underway within the catchment and costs to achieve desired outcomes in the Kaituna River document will not be entirely attributable to the proposed objective.

Examples of existing projects that promote best management practice include:

- Identification of Critical Source Areas through Nutrient Management Plans for Plan Change 10 and requirements to address these through consent conditions;
- Stock exclusion from waterways, including: riparian fencing, planting and pest control - supported through Council investment in Environmental Programmes;
- Establishment of Catchment Groups to consider joint efforts for environmental management, for example, enabling riparian restoration and management along the full length of a river or construction of a series of detainment bunds;
- Protection and restoration of wetlands through Environmental Programmes;

- Supporting land use change where it provides nutrient reduction through financial, land use or subdivision incentives from a property (e.g. District Plan changes);
- Lined effluent ponds for dairying only in the Lakes Catchments and application to appropriate sized areas of land only;
- Expansion of sewerage reticulation system and upgrading onsite effluent treatment systems (i.e. OSET Regional Plan requirements) to meet stringent standards in terms of nutrient and contaminant impacts on water.

Comments received on Draft Change 5 (Kaituna River) sought to replace best management practice with good management practice (GMP). Federated Farmers sought Objective 44 focus on industry agreed GMPs and not “best management practices”. Federated Farmers is concerned “best practice” is aspirational, sets the bar unreasonably high and is not sufficiently flexible or certain to provide for the wide range of farm systems and farm types in the Kaituna River catchment.

The equivalent Kaituna River document Objective 6 refers to ‘improved land management practices’ and not ‘best management practice’. When first drafted, Objective 44 aligned with the wording in Objective 6 but was altered in response to internal staff feedback and consultation in December 2019, which suggested strengthening the wording to be consistent with existing operative RPS Policy WL 6B(a) which states:

Policy WL 6B: Managing the reduction of nutrient losses

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

- (a) *Rural production land use activities minimise their loss of nutrients as far as is reasonably practicable by implementing on-farm best management practices;’*

The explanation for Policy WL 6B(a) provides that:

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

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

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

Policy WL 6B is focused solely on defined catchments at risk which currently excludes the Kaituna River catchment. At present only the Rotorua Te Arawa Lakes are defined as catchments at risk but further catchments could be added through an RPS review or introduced through subsequent changes to the Regional Natural Resources Plan. Best management practice (BMP) has been accepted as a suitable RPS approach for managing the reduction of nutrient losses from rural production activities.

In the context of Proposed Change 5 (Kaituna River), BMP has a wider focus than reducing nutrient losses as part of on farm mitigations to improve water quality.

The debate between 'best' and 'good' management practices has also been well contested through appeals on Plan Change 10 (Nutrient Management) to the Regional Natural Resources Plan (PC10). It was agreed by the parties that where the term 'best management practice' is used in PC10 that it be amended to 'good management practice'.

GMP is used to describe what is reasonable and practicable. Commenters contend BMP is more aspirational and doesn't consider what is reasonable and practicable. Through PC10 GMP has been agreed as being consistent with reducing nutrient losses "as far as is reasonably practicable" (Policy WL 6B) and "as far as is reasonable, practical and affordable" (explanation to policy).

The documentation supporting PC10 contends that in a practical sense the shift from "best" to "good" does not mean a downgrading of any outcome that would actually be experienced on-the-ground. GMP reflects the national approach to ensuring practical delivery of improved farm management practices as part of a suite of requirements designed to deliver environmental outcomes.

GMP was considered appropriate and consistent with Policy WL 6B in the context in which it sits within the suite of provisions in PC10. Consistent use of the term GMP within PC10 is also considered to be consistent with other regional councils' regional plan provisions relevant to improving water quality. Other regional plans have adopted 'GMP or 'Good Farming Practices'.

Use of the term GMP is also consistent with the considerable body of good management practice and guidelines the primary industries having been working collaboratively to deliver, as well as specific primary industries have been developing since the RPS was put in place.

Despite the analysis supporting the use of GMP over BMP in PC10, both Te Maru o Kaituna and Regional Council's Strategy and Policy Committee considered it appropriate that the RPS should retain an aspirational BMP objective. There is scope for lower order regional and district plan changes to adopt a GMP to deliver the objective, if it is considered appropriate in the circumstances as has been exemplified by PC10. While BMP does set a higher bar, it has also been accepted as appropriate in the context of the RPS through Policy WL 3B specifically for a catchment at risk and Proposed Change 5 (Kaituna River) should not lower that bar. It is also debateable that 'good' management practice doesn't necessarily equate to 'improved land management practice' as set out in Objective 6 of the Kaituna River document.

6.5 Objective 45

Objective 45: The Kaituna River's wetlands, aquatic and riparian ecosystems are restored, protected and enhanced to support indigenous species.

Objective 45 addresses the following issues in the Kaituna River document:

- *Pressure on the Kaituna River due to land use intensification, urban growth and climate change;*
- *Mahinga kai and natural character values being impacted by waterbody modification (drainage schemes) especially in the Lower Kaituna Catchment;*
- *The health of the Maketu Estuary, Ecological Health, mahinga kai, cultural and recreational values are significantly degraded in the estuary;*
- *Land use and development are placing increased pressure on wetland habitats; and*
- *Sedimentation.*

Objective 45 closely reflects corresponding Objective 7 in the Kaituna River document.

The proposed objective also addresses RPS Matters of National Importance issues in 2.7.1 including Issue 2 – *Inadequate recognition and provision for matters of national importance* and Issue 3 – *Risks to special areas in private ownership*.

Objective 45 is derived from the Kaituna River document but there are similarities with RPS Matters of National Importance objectives. RPS Objective 19 refers to preservation of the natural character of the region's coastal environment, wetlands, rivers, and their margins and; RPS Objective 20 seeks to protect significant indigenous habitats and ecosystems, having particular regard to their maintenance, restoration and intrinsic values.

The key distinctions between proposed Objective 45 and RPS Objectives 19 and 20 is the desire to restore and enhance in addition to preserve and protect, as well as the "significant" qualifier that is (appropriately) applied to the existing objectives. These RPS objectives are focused on matters of national importance obligations under RMA Sections 6(a) and 6(c), to recognise and provide for the preservation of natural character of the coastal environment, wetlands, lakes and rivers and their margins from inappropriate subdivision, use and development and; the protection of areas of significant indigenous vegetation and habitats of indigenous fauna¹⁹.

Objective 45 aims to restore, protect and enhance the Kaituna River's wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species, rather than focusing only on protection of areas that satisfy the criteria in RPS Appendix F Sets 1 and 3 which require protection as a matter of national importance. Relying on RPS Objectives 19 and 20 to recognise and provide for the objectives of the Kaituna River document would not be appropriate, as it would not achieve the broader outcomes which are sought by the proposed objective.

¹⁹ Section 6(a) and Section 6 (c) Resource Management Act 1991

Objective 45 effectively addresses the responsibilities of regional councils under Section 30(1) (ga) of the RMA to establish objectives, policies and methods for maintaining indigenous biological diversity. It also fulfils RMA Part 2 requirements under Section 7 to have particular regard to:

7(d) intrinsic values of ecosystems.

7(f) the maintenance and enhancement of the quality of the environment.

7(g) any finite characteristics of natural and physical resources.

The objective is consistent with the purpose of the RMA in particular Section 5 (2)(a) managing the use, development and protection of natural and physical resources and Section 5(2)(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems.

The level of uncertainty and risk associated with Objective 45 is considered to be acceptable. Achieving the objective will require provisions which protect and enhance wetlands and aquatic and riparian habitats and ecosystems within the Kaituna River Catchment. These are all matters that regional councils have the power to control through regional plan provisions, resource consent processes and non-regulatory approaches. There is also an alignment with existing RPS provisions including Policy MN 2B - Protecting significant indigenous habitats and ecosystems and Policy MN 4B - Encouraging ecological restoration and, a number of RPS methods²⁰ also contribute to achieving Objective 45.

6.6 Objective 46

Objective 46: Te Maru o Kaituna collaborate with iwi and the wider community to enable environmental, economic, social and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.

Objective 46 is a reflection of the collaborative and inclusive approach aspired to by Te Maru o Kaituna in Objective 8 of the Kaituna River document. Its intent is to apply to all sectors of the community within the Kaituna River catchment not just Maori.

The intent of proposed Objective 46 is addressed in RPS significant issues to varying extents, including Iwi Resource Management Issue 1 – *Inadequate recognition of kaitiakitanga, the Maori environmental resource management system and Te Tiriti o Waitangi principles* and Integrated Resource Management Issue 3 – *Understanding the changing environment and community concerns*.

Objective 46 is not adequately covered by existing RPS Objectives including Objective 11- *An integrated approach to resource management issues is adopted by resource users and decision makers* and Objective 21- *Recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*.

The proposed objective also goes further than recognising and providing for by seeking collaborative relationships. RPS Objective 21 does not meet the statutory requirement to recognise and provide for the objectives of the Kaituna River document.

²⁰ Methods 3, 26, 27, 34, 35, 39, 43, 49, 55, 59, 63, 64

Objective 46 assists Regional Council in achieving the purpose of the RMA by enabling iwi and communities to collaboratively identify and provide for their social, economic, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River. As such this proposed objective acknowledges that there are multi-faceted aspirations and interests in the Kaituna River catchment.

The objective addresses the requirements of Section 6(e) of the RMA, by recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga to be recognised and provided for. The objective also has regard to Section 7 matters including (a) kaitiakitanga and (aa) the ethic of stewardship.

These provisions have a low level of risk and uncertainty and are unlikely to impose significant costs on the community.

7 Evaluation of Provisions

Section 32(1)(b) requires an evaluation of the provisions to determine whether they are the most appropriate way to achieve the objectives. In the case of a Regional Policy Statement, the provisions are the policies and methods. Evaluating the provisions involves the following steps:

- 1 Identifying reasonably practicable options for achieving the objectives
- 2 Assessing the efficiency and effectiveness of the provisions in achieving the objectives, taking into account:
 - Benefits and costs of the environmental, economic (including economic growth and employment), social and cultural effects; and
 - The risk of acting or not acting if there is uncertain or insufficient information about the subject matter.
- 3 Summarising the reasons for the proposed choice.

The following sections provide an evaluation of the policies and methods proposed to achieve the objectives for Proposed Change 5 (Kaituna River). The approach taken for this evaluation is to consider various policy approaches within the four general types used in the existing RPS as well as the option of relying on existing policies and methods to achieve the objectives. This approach ensures the proposed policies integrate with the existing RPS and provide a consistent policy framework.

The four policy types in the RPS are:

- (a) Broad policies that must be given effect to by regional and district plans. These policies are identified by the letter A after the main policy number.
- (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.
- (c) Policies that 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.
- (d) Guiding policies that outline activities to help achieve the objectives. These policies are identified by the letter D after the main policy number.

In addition to the above approaches, the "do nothing" option has also been assessed. This option considers whether the existing RPS policies are sufficient to achieve the objective and therefore recognise and provide for the Kaituna River Document.

A detailed analysis of the policy options to achieve each objective is provided in Appendix 2: Analysis of Policies with a summary discussion provided below.

7.1 Evaluation of provisions to achieve Objective 40

The appropriateness of the policies and methods to achieve Objective 40 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

Objective 40: The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised, strengthened, enhanced and provided for

7.1.1 Existing RPS policies and methods

RPS Iwi Resource Management Policies collectively contribute to achieving Objective 40 but those that are most relevant along with methods which contribute to achieving proposed Objective 40 are listed:

Policy IW 2B: Recognising matters of significance to Māori

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

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

Method 11: Recognise statutory acknowledgement areas

Method 12: Take into account iwi and hapu resource management plans in assessments of environmental effects

Method 34: Take a whole of catchment approach to the management of natural and physical resources

Method 41: Promote consultation with potentially affected tangata whenua

Method 42: Evaluate matters of significance to tangata whenua

Method 53: Research and monitor the effects of discharges

The potential options to achieve Objective 40 have been considered in the context of these existing provisions.

7.1.2 Range of policy options considered

In addressing this objective, the primary focus is to determine whether it can be best achieved by one of the following options:

Option 1 – Direction to district and regional plans to recognise, strengthen, enhance and provide for traditional and contemporary relationships that iwi and hapu have with the Kaituna River

This option requires regional and district plans to include provisions that recognise, strengthen, enhance and provide for the relationship that iwi and hapu have with the Kaituna River.

Option 2 – Direction to have particular regard to recognise, strengthen, enhance and provide for traditional and contemporary relationships that iwi and hapu have with the Kaituna River

This option requires the traditional and contemporary relationships that iwi and hapu have with the Kaituna River to be recognised, strengthened, enhanced and provided for in resource management decision making.

Option 3 – Provision of support and guidance to recognise, strengthen, enhance and provide for traditional and contemporary relationships that iwi and hapu have with the Kaituna River

Through non-regulatory programmes, which provide information and guidance on ways to recognise, strengthen, enhance and provide for recognise, restore and enhance traditional and contemporary relationships that iwi and hapu have with the Kaituna River.

Option 4 – Rely on existing RPS provisions

Do nothing and rely on existing RPS policies and methods (set out in Section 7.1.1 above) to achieve the objective.

7.1.3 Discussion on options

The objective contributes to fulfilling various requirements under Part 2 of the RMA, including Section 6(e) which requires the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga to be recognised and provided for. The objective also supports kaitiakitanga and the ethic of stewardship which are required to be given particular regard under Section 7 of the RMA.

Option 1 - Provides direction to regional and district plans to recognise, strengthen, restore and enhance the relationship of iwi and hapu with the Kaituna River ensures a consistent planning framework across district and regional plans. This is an effective way of providing clear direction on the desired outcomes sought by the Kaituna River document and it is for a resource management issue in this region. As such this is the only option that aligns with the statutory obligation set out under the Settlement Act as local authorities (not just Regional Council) have to recognise and provide for the Kaituna River document when they prepare or change their regional policy statement, regional or district plans.²¹

This option has moderate social and cultural benefits in ensuring relationships are recognised. There are moderate economic costs for councils and communities associated with resourcing policy development and implementation.

Option 2 - Requires resource management decision making to recognise, strengthen, restore and enhance the relationships that iwi and hapu have with the Kaituna River. This approach ensures a consistent planning framework, however effectiveness is limited by the requirement for the activity to trigger a resource consent or similar process to enable consideration of the policy. In this context, providing and encouraging relationships would be assessed as a positive effect of the proposal as part of the overall assessment, rather than being actively promoted independently of a proposed development or activity. Enhanced recognition of cultural relationships with the Kaituna River should provide benefits by ensuring sites and/or resources of significance are identified, protected, restored or enhanced.

²¹ Section 123 (1) Tapuika Claims Settlement Act 2014

The option has moderate social and cultural benefits in promoting greater involvement in consultation processes but consideration of the Kaituna River document for consent processes was only anticipated as part of the transition process (pre-plan integration) under the Settlement Act²². In this context there will be minor regulatory costs to councils in assessing these matters and to iwi in engaging in consultation processes for consents affecting the Kaituna River catchment. As the existing planning framework already requires recognition and provision for Maori relationships and the Settlement Act requires that the Kaituna River document be given regard to (see Section 1.2 of this report).

Option 3 - Relates to the use of non-regulatory measures such as the provision of information and guidance on ways to recognise, strengthen, enhance and provide for contemporary and traditional relationships that iwi and hapu have with the Kaituna River. This enables a flexible approach to be adopted. This option would create an inconsistency within the RPS as it differs from the policy approach taken in existing iwi resource management policies. It would also potentially duplicate projects in the Kaituna Action Plan that support non-regulatory measures.

This option has potential social and cultural benefits for tangata whenua and the wider community, in gaining further understanding about historical and contemporary relationships that exist in the Kaituna River. There will be moderate economic costs to iwi and councils in resourcing the preparation and distribution of information.

Option 4 – To do nothing and rely on existing iwi resource management policies in the RPS to achieve this proposed objective. These policies deal with various Part 2 matters, including Section 6(e) and the requirement to have particular regard to kaitiakitanga under Section 7(a). The most relevant policies are:

- Policy IW 2B – *Recognising matters of significance to Māori*
- Policy IW 1B – *Enabling development of multiple-owned Maori land*

The matters covered by these policies in part, address the relationship of iwi and hapu with the Kaituna River, however they are not specific enough to effectively achieve the outcome sought by Objective 1 of the Kaituna River document. The policies have been developed to address Regional Council's statutory responsibility to have particular regard to the relationship of Maori with their culture and traditions under section 6(e) of the RMA. There is a potential risk in relying on region-wide matters of national importance and iwi resource management provisions to achieve Objective 40 and potential for legal challenge over the use of existing RPS provisions to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document.

Requiring regional and district plans to recognise and provide for relationships iwi and hapu have with the Kaituna River is an appropriate policy approach to achieve Objective 40 and it is an approach that best aligns with the Settlement Act expectations in Section 123 (1).

7.1.4 Risk of acting or not acting if information is uncertain or insufficient

The key risk in not acting to introduce provisions that achieve Objective 40 is Regional Council would not fulfil its statutory requirements of the Settlement Act to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document. Overall, the risk of not acting outweighs the risk of acting.

²² Section 123 (3) Tapuika Claims Settlement Act 2014

7.1.5 Evaluation of Policy KR 1B and methods

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

Recognise, strengthen, enhance 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) Development, sharing and application of traditional knowledge, 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.

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.

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.

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 hapū including traditional place names, travel routes, waahi tapu, urupa and waipuna (springs) in the Kaituna River Catchment.

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.

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.

Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River Catchment and Kaituna River

Where appropriate require and in consultation with tangata whenua require:

- (a) the removal of structures (excluding existing lawfully established hydro-electric dams and power stations) that impede cultural and recreational access in the Rangitāiki River Catchment and Kaituna River;
- (b) Where removal is impracticable, employ measures to adapt existing structures (including lawfully established hydro-electric dams and power stations) or provide alternative access points to minimise adverse effects on cultural and recreational access.

7.1.6 Costs and Benefits

	Costs	Benefits
Environmental	<p>The overall environmental costs of the policy and methods are low as they promote activities that increase environmental and cultural awareness.</p> <p>There is the potential for increased access to the river to adversely affect ecological and amenity values in sensitive locations. This may occur through littering, transfer of plant pests (including aquatic weeds) and the general increase in human activity and disturbance in areas of high natural or ecological value. However this can be managed through careful site selection and design.</p>	<p>Reinforcing the need to recognise iwi and hapu resource management plans has the potential to result in a moderate environmental and cultural benefit as these documents promote environmental and cultural improvements.</p> <p>Various projects that broadly relate to and collectively implement the above policies and methods are already funded, programmed and underway via the Kaituna Action Plan. These include the following projects: (11) Kaituna River access, (12) Kaituna cycleway/walkway and (13) Kaituna cultural and historical as all are directly related to Policy KR 1B. These projects will result in positive long-term environmental outcomes.</p>
Social	<p>The involvement of the community in projects will have a minor social cost in resourcing.</p> <p>Potential social cost to landowners alongside the Kaituna River and its tributaries where public access adjacent to (on land or on water) may be considered to result in a loss of amenity, privacy, security and land value.</p>	<p>There is a significant social benefit in the sharing of social, cultural and environmental performance information between industry groups, iwi and local communities. As this can increase awareness about the importance of iwi and hapu relationships with the Kaituna River in resource management decision making processes including the importance of iwi and hapu management planning documents.</p> <p>The identification of sites of cultural significance including taunga waka will have a moderate social benefit in enhancing the wider community</p>

	Costs	Benefits
		<p>understanding of cultural values and practices that iwi and hapu have within the Kaituna River. This aligns with outcomes which are anticipated under the Kaituna River document and Kaituna Action Plan projects.</p> <p>As mentioned above, various projects that broadly relate to and collectively implement the above policies and methods are already funded, programmed and underway via the Kaituna Action Plan. These projects will result in positive long-term social outcomes.</p>
Cultural	<p>There will be a moderate resourcing costs to iwi and hapu in implementing the policy and methods. Some tangata whenua may want to withhold making culturally sensitive information about sites of significance publicly available.</p>	<p>Increased cultural connection between tangata whenua and the Kaituna River due to an increased ability to access sites of cultural significance, including taunga waka, establishing pou and other cultural markers, and applying and sharing traditional knowledge will generate significant cultural benefits.</p> <p>The proposed policy and methods will provide significant cultural benefits in assisting the exercise of kaitiakitanga while recognising, strengthening enhancing and providing for contemporary and traditional iwi and hapu cultural relationships within the catchment.</p> <p>Various projects that broadly relate to and collectively implement the above policies and methods are funded, programmed and underway via the Kaituna Action Plan. These projects will result in positive long-term cultural benefits.</p>
Economic	<p>There may be land value and opportunity costs to landowners where required to provide land for public access along the margins of Kaituna River. However, public access rights are normally only acquired in association with subdivision, use and development in accord with relevant RMA requirements.</p> <p>The economic costs for councils in implementing Methods 3, KR1, KR2, 23T and 53 are either already budgeted for or committed to through the Kaituna Action Plan.</p> <p>There are moderate economic costs for councils and communities</p>	<p>It is difficult to quantify the economic benefits associated with the recognition, strengthening, enhancement and provision for cultural values and associations including public access, establishment of pou, cultural markers and taunga waka.</p> <p>There are potential efficiencies from early consultation of provisions within iwi and hapū resource management planning documents. There are potential cost savings including to the community through efficiencies for shared use of the Kaituna River, for example Kaituna Action Plan projects (10) Kaituna community connection</p>

	Costs	Benefits
	<p>associated with policy development and implementation, including costs of consultation, governance and decision making processes to formulate, establish and implement the changes necessary to implement Policy KR 1 and the supporting suite of methods.</p> <p>The ongoing maintenance of access areas, walkways and amenities will require mowing, repairs, weed control, planting and possibly replacement.</p>	<p>and (13) Kaituna cultural and historical heritage project.</p>

7.1.7 Efficiency

The proposed policy and methods provide a range of social, environmental and cultural benefits to the community, and particularly iwi and hapu, resulting from the identification of, and improved access to, sites of cultural significance, establishment of pou and other cultural markers, as well as the development, sharing and application of traditional knowledge, environmental research and monitoring information and greater recognition of iwi and hapū resource management plans.

The economic costs include the development and implementation of the policy in regional and district plans and potential impacts on land value due to increased public access to and along the margins of Kaituna River. With regard to section 32(2)(a)(i) and (ii) opportunities for economic growth and employment to be provided or reduced have been considered.

Recognising, strengthening, enhancing and providing for traditional and contemporary relationships between iwi and hapu and the Kaituna River requires a combination of regulatory and non-regulatory approaches. The policy and associated methods set out a range of measures including both regulatory and non-regulatory actions which collectively provide an efficient means of achieving the objective. The actions align with existing programmes of work undertaken by the Regional Council including projects in the Kaituna Action Plan and existing RPS methods.

7.1.8 Effectiveness

Policy KR1 and the supporting suite of existing RPS policies with new and existing RPS methods are effective in achieving Objective 40 as this suite of provisions sets out clear and well-defined measures to achieve the objective.

7.1.9 Conclusion

The proposed policy and methods are necessary and appropriate to achieve Objective 40 having had regard to their efficiency and effectiveness.

7.2 Evaluation of provisions to achieve Objective 41

The appropriateness of the policies and methods to achieve Objective 41 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

Objective 41 - Water quality and the mauri of the water, including groundwater, in the Kaituna River is restored to a state which provides for ecosystem health, human contact, threatened species and mahinga kai values

7.2.1 Existing Regional Policy Statement policies and methods

There are no existing policies in the RPS which directly support the achievement of Objective 41, although the following existing methods are relevant.

Method 2: Regional plan implementation

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

Method 12: Take into account iwi and hapu resource management plans in assessments of environmental effects

The policy options to achieve Objective 41 have been considered in the context of these existing provisions with a focus on options that complement the existing provisions and minimise duplication.

7.2.2 Range of policy options considered

In addressing this objective, the primary focus is to determine whether it can be best achieved through regulatory direction to regional and district plans or through regulatory direction as to matters to be considered when making resource management decisions, or through non-regulatory programmes, or by doing nothing.

Option 1 – Regulatory direction to regional and district plans to restore water quality and the mauri of water in the Kaituna River and its tributaries to provide for ecosystem health, human contact, threatened species and mahinga kai values

This requires regional and district plans to include provisions that restore water quality and the mauri of water in the Kaituna River Catchment to provide for ecosystem health, human contact, threatened species and mahinga kai values.

Option 2 – Direction to give particular regard to restoring water quality and the mauri of water in the Kaituna River and its tributaries to provide for ecosystem health, human contact, threatened species and mahinga kai values in resource management decision making

This requires the restoration of water quality and the mauri of water in the Kaituna River Catchment to provide for ecosystem health, human contact, threatened species and mahinga kai values to be given particular regard within resource management decision making processes.

Option 3 – Non-regulatory guidance and information

This option involves non-regulatory approaches including the provision of information and guidance on ways to restore water quality and the mauri of water in the

Kaituna River catchment to provide for ecosystem health, human contact, threatened species and mahinga kai values.

Option 4 – Relying on existing provisions

No new provisions are introduced and existing RPS policies methods are relied on (as there are no existing policies) to support the achievement of proposed Objective 41.

7.2.3 Discussion on selected options

The proposed objective contributes to various requirements under Part 2 of the RMA including the purpose of the act which requires sustainable management in Section 5 and Section 7 (f) requires that particular regard be given to the maintenance and enhancement of the quality of the environment. The current RPS policy framework is focused on the identification and management of catchments that are at risk due to declining water quality. The regulatory measures required to address water quality issues are implemented through the RNRP.

Alongside the current approach in the RPS, Regional Council has (see Section 2.6 of this report) developed an *Essential Freshwater Policy Programme* which is focussed on NPS-FM implementation. It is important that provisions introduced to achieve Objective 41 are aligned with the process established under the *Essential Freshwater Policy Programme* to give full effect to the NPS-FM. In particular the community values and limit setting process.

Policy KR 2B is required to achieve Objective 41, it will not undermine the NPS-FM implementation process as Regional Council has a statutory obligation to recognise and provide for the Kaituna River document, which specifically seeks an improvement of water quality in the catchment to provide for ecosystem health, human contact, threatened species and mahinga kai values.

Option 1 - Providing broad direction to regional and district plans to achieve the holistic restoration of water quality within the catchment ensures a consistent planning framework and integrates the achievement of the objective with the implementation of the NPS-FM. This option is effective in enabling specific discharge limits to be established and imposed through regulatory measures to achieve Objective 41.

This is an effective approach with potentially significant long-term environmental, social and cultural benefits in restoring water quality and the mauri of water within the catchment. There are economic costs for councils and communities in policy development and implementation as well as costs for parties who discharge contaminants to rivers within the catchment directly or indirectly as they may be required to change how they carry out their activities, however, these are costs that will eventually be incurred through the *Essential Freshwater Policy Programme* to implement the NPS-FM.

Option 2 - Requires direction to consider the restoration of water quality in resource management decision making. This approach enables a case-by-case assessment of the effects of specific activities on water quality and provides some flexibility in options to achieve the objective. The effectiveness of this option is limited in its ability to address cumulative effects of discharges on water quality. As improvements in water quality through decision making processes will have limited effectiveness if there is no specific quality target to be achieved. As a result, the option has been assessed as having moderate environmental and cultural costs. This option will impose moderate costs on applicants through resource consent processes.

Option 3 - The use of non-regulatory measures such as the provision of information and guidance on ways to improve water quality within the catchment may be effective in achieving improvements through sustainable land management and voluntary riparian protection, but regulation is considered necessary in order to effectively achieve the outcome of restoring water quality. There are moderate social benefits in an approach that supports voluntary landowner efforts and requires the community to work together to achieve the outcome.

The lack of regulation has economic benefits in avoiding constraints on the productive potential of activities within the catchment. The lack of certainty around what is required, the standard to attain for improvements in water quality is a social, cultural and environmental cost of this option.

Option 4 - Relying on the existing water quality policy framework within the RPS is not an effective option. This policy framework is based on the identification of catchments at risk and the management of activities within these catchments to ensure water quality targets are achieved or exceeded. The Kaituna River catchment is not identified as a catchment at risk so there are no RPS policies which will effectively support the achievement of Objective 41.

7.2.4 Risk of acting or not acting if information is uncertain or insufficient

Section 32(2)(c) of the RMA requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

The risks of acting or not acting because of uncertain and insufficient information regarding the restoration of water quality within the catchment was considered in selecting appropriate options. The risk in acting is considered to be low as the proposed policy approach is integrated with and will be supported by the *Essential Freshwater Policy Programme* to implement the NPS-FM by identifying water quality values and the need to set standards to achieve these values. There is a greater risk in not acting as the existing RPS provisions do not fulfil Regional Council's statutory obligation to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document.

7.2.5 Evaluation of Policy KR 2B and Methods KR1 and KR3, 23I

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

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.

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.

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

Identify specific locations in the Kaituna River that are used for, or that people would like to use for, contact recreation under Policy KR 2B.

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 hapū including traditional place names, travel routes, waahi tapu, urupa and waipuna (springs) in the Kaituna River Catchment

Method 23I: Develop environmental flows/levels, and water quality limits in the Rangitāiki River Catchment and Kaituna River

Investigate and develop:

- (a) *Environmental flows/levels and water quality limits in the Rangitāiki River Catchment and Kaituna River in accordance with the National Policy Statement for Freshwater Management; and*
- (b) *Provisions for the management of flow variability in the Rangitāiki River Catchment and Kaituna River.*

7.2.6 Costs and Benefits

	Costs	Benefits
Environmental	Policy KR 2B sets out values associated with the use of water by people rather than values of the natural environment such as the protection or enhancement of aquatic habitats or ecosystems, other than clause (c) sustaining customary food sources. Not requiring contaminant limits specifically based on ecosystem and habitat values and requiring the achievement of the specified limits where the water is to be used for that purpose does not afford the highest level of environmental protection possible and is a minor cost of this policy.	The management of water quality to achieve the range of values specified in Policy KR 2B will have moderate and potentially significant environmental benefits on freshwater ecosystems and habitats in the catchment. The adoption of an approach that has a high level of effectiveness is also a significant benefit of the policy. Method KR3 has the benefit of providing information to inform the identification of locations whether the water quality standard is to be achieved. Method KR4 will support this policy through identification of culturally significant sites which supports parts c) and d) of Policy KR 2B.
Social	These provisions are likely to constrain some activities that result in discharges to the Kaituna River and may have a minor impact on employment and possibly land use development opportunities.	The improvement in water quality to ensure water is safe for bathing and provides a safe source of drinking water has significant social and health benefits for the community. Improved water quality will also enhance recreational opportunities.

<p>Cultural</p>	<p>The introduction of limits may have opportunity costs in constraining development options of Maori land.</p> <p>This has been assessed as a moderate cost.</p>	<p>The setting of limits that specifically ensure water quality is suitable for cultural ceremonies and sustains customary food sources is a significant cultural benefit. The ability for tangata whenua to harvest customary kai awa and kai moana will help strengthen, and enhance iwi and hapū mana.</p> <p>Improvements in the mauri and quality of water within the Kaituna River and the achievement of one of the primary desired outcomes of the Kaituna River document is a significant benefit of the policy.</p> <p>Method 23I supports this work as limit setting will be in accord with the NPS-FM which recognises Te Mana o te Wai.</p>
<p>Economic</p>	<p>Implementation of Policy KR 2B is integrated with the <i>Essential Freshwater Policy Programme</i>, the policy has therefore been assessed as having a minor economic cost to Regional Council.</p> <p>The introduction of measurable water quality and ecosystem health targets and limits and methods to achieve them, within the catchment will have a moderate economic cost on industry, landowners and rural production activities by constraining their development potential and/or requiring changes to operations in order to achieve the required water quality limits.</p> <p>The constraints on productive land uses and industry within the catchment will have a minor effect on economic growth and employment opportunities within the catchment.</p>	<p>Specifying measurable water quality and ecosystem health targets and limits and methods to achieve them within the catchment will provide certainty and sustainable development both now and in the future, which is a minor economic benefit.</p> <p>This also aligns with the vision of the Kaituna River document “<i>The Kaituna River is in a healthy state protected for future generations.</i>”</p> <p>Improved water quality and resulting enhanced recreational opportunities has the potential for minor economic benefits from additional tourism and recreational opportunities.</p>

7.2.7 Efficiency

The proposed policy provides a range of social, environmental and cultural benefits and aligns with the *Essential Freshwater Policy Programme* currently underway to implement the NPS-FM and the Kaituna River document vision “*The Kaituna River is in a healthy state and protected for future generations*”.

The implementation of Policy KR 2B will form part of the work programme which is already underway including (among many other requirements) to establish measurable water quality and ecosystem health targets, limits and methods to achieve them, as well as minimum flows and take limits. For that reason the policy is not expected to introduce additional implementation costs.

The introduction of water quality limits to achieve water quality improvements will have economic costs by constraining some land use activities, in particular those that create discharges or increase contaminant levels in the Kaituna River Catchment. This is however necessary to enable the objective to be achieved, to align with the Kaituna River document through sustainable management through the setting of limits, this provides certainty and is therefore an efficient approach.

With regard to section 32(2)(a)(i) and (ii) opportunities for economic growth and employment to be provided or reduced have been considered.

7.2.8 Effectiveness

The policy is effective in achieving the objective as it utilises regulatory intervention to ensure Objective 41 is achieved as part of Regional Council's overall *Essential Freshwater Policy Programme* (see Section 2.6.2). This programme is specifically focused on improving the sustainable management of freshwater across the region.

Proposed Policy KR 2B is considered necessary to recognise and provide for the Kaituna River document, which clearly articulates the importance of water quality values in the catchment. This policy provides certainty that water quality will be managed in the catchment to provide for the Kaituna River document vision, objectives and desired outcomes as this is a resource management issue in this region.

7.2.9 Conclusion

Having regard to its efficiency and effectiveness, it is concluded that Policy KR 2B and Methods KR1, KR3 and 23I are necessary and appropriate to achieve Objective 41.

7.3 Evaluation of provisions to achieve Objective 42 and Objective 43

The appropriateness of the policies and methods to achieve Objective 42 and Objective 43 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

These objectives both deal with the allocation of water and are complementary. For this reason, it is appropriate to assess the options to achieve these objectives collectively.

Objective 42 – There is sufficient water in the Kaituna River to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values

Objective 43 - Water from the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapu and communities now and for future generations

7.3.1 Existing RPS Policies and methods

The following existing RPS water quantity policies directly support the achievement of Objectives 42 and 43:

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

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

Policy WQ 3B: Allocating water

Policy IW 2B: Recognising matters of significance to Maori

The following RPS methods also contribute to Objectives 42 and 43.

Method 2: Regional plan implementation

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

Method 11: Recognise statutory acknowledgement areas

Method 30: Research and monitor water allocation and abstraction

Method 32: Prepare and provide information to reduce water demand

Method 42: Evaluate matters of significance to tangata whenua

Method 43: Promote the enhancement of mauri

Method 46: Consider the necessity of consulting potentially affected tangata whenua during consent processing

7.3.2 Range of policy options considered

In determining the most appropriate option for achieving Objectives 42 and 43, the primary focus is to evaluate whether it can be best achieved through: regulatory direction to regional and district plans, regulatory direction as matters to be considered

when making resource management decisions, non-regulatory programmes, or by doing nothing.

Option 1 – Direction to district and regional plans to provide for the sustainable allocation and efficient use of water within the Kaituna River

This option requires regional and district plans to include provisions that achieve sustainable water allocation and efficient use within the Kaituna River.

Option 2 – Direction to give particular regard to the sustainable allocation and efficient use of water within the Kaituna River in resource management decision making

This option requires the sustainable allocation and efficient use of water to be given particular regard within resource management decision making processes.

Option 3 – Provision of information and guidance on ways to ensure sustainable allocation and efficient use of water within the catchment

This option involves non-regulatory approaches that provide information and guidance on ways to improve management of water allocation and efficient use in the Kaituna River.

Option 4 – No intervention

This option offers no intervention and relies on the existing RPS provisions to achieve Objectives 42 and 43.

7.3.3 Discussion on selected options

The over-abstraction and inefficient use of water are two of the key water quantity issues identified in section 2.10.1 of the operative RPS. The operative RPS water quantity policy framework is focused on setting instream minimum flows to protect freshwater values and applying water allocation limits to manage availability for users. The RPS also promotes efficient water use using a variety of methods. The regulatory measures required to manage water quantity are implemented through the RNRP and resource consents processes.

The introduction of provisions to achieve Objectives 42 and 43 are aligned with the process established under the *Essential Freshwater Policy Programme* in particular community values and limit setting process. These policies are required to achieve Objectives 42 and 43. The objectives and what they seek to achieve overlaps with NPS-FM implementation (see Section 2.6) but Regional Council has a statutory obligation under the Settlement Act to recognise and provide for the Kaituna River document, which identifies specific values for the Kaituna River.

Option 1 - Providing broad direction to regional and district plans to achieve the sustainable allocation and efficient use of water within the Kaituna River ensures a consistent planning framework and integrates the achievement of the objective with the implementation of the NPS-FM. This option is effective in ensuring allocation decisions and flow limits provide for these values and are imposed through regulatory measures to achieve the objective. As an effective approach this option has potentially significant long-term environmental, social, and cultural benefits in ensuring the availability of water is well managed and there is equitable and efficient allocation.

There are moderate economic costs for councils and communities in policy development and implementation as well as costs for parties who use water within sub-catchments which are over-allocated and may be required to change their

activities. There will be delays in incorporating the specific values identified in the objectives with this option while changes to the RNRP are implemented. This is considered to be a minor cost.

Option 2 - Requires direction to consider the sustainable allocation and efficient use of water in resource management decision making. This approach enables a case-by-case assessment of the effects of specific activities on water availability and ensuring efficient use and provides some flexibility in options to achieve the objective. The effectiveness of this option is limited in its ability to address cumulative effects of water use and allocation decisions.

A policy approach seeking to manage water allocation through decision making processes will have limited effectiveness without including the values in determining allocation limits and minimum flows in the overall allocation framework. As a result, the option has been assessed as having moderate environmental and cultural costs. This option will impose moderate costs on applicants through resource consent processes.

Option 3 - The use of non-regulatory measures such as the provision of information and guidance on ways to improve the management of water allocation and efficient use within the catchment may be effective in encouraging water users to improve their practices to ensure efficient use. However, regulation is considered necessary in order to effectively achieve the outcomes of sustainable water allocation, availability and efficient use. There are moderate social benefits in an approach that supports voluntary efforts by water users and requires the community to work together to achieve the outcome. The lack of regulation has economic benefits in avoiding constraints on the productive potential of rural production activities and urban land development within the catchment. The cost of this option is social, cultural and environmental given the lack of certainty that there will be improvements in the management of water allocation and availability will be realised.

Option 4 - At a broad scale, relying on the existing water quantity policy framework within the RPS is a moderately effective option to achieve the objectives. This policy framework is designed to achieve outcomes which are consistent with Objectives 42 and 43 in terms of ensuring the efficient use of water and allocating water in a way that sustains groundwater fed streams and it takes account of ecological and Maori cultural values. However, RPS water quantity provisions do not provide adequate detail to fully achieve the specific outcomes sought by Objectives 42 and 43, particularly the desire for efficient use and sustainable water allocation to provide for the current and future social, economic and cultural well-being of iwi, hapu and communities in the Kaituna River catchment.

7.3.4 Risk of acting or not acting if information is uncertain or insufficient

Section 32(2)(c) of the RMA requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

The risks of acting or not acting because of uncertain and insufficient information regarding the management of water allocation and use within the catchment was considered in selecting appropriate options. The risk in acting is considered to be low as the proposed policy approach is consistent with the *Essential Freshwater Policy Programme* as this programme includes identification of water quality values and water quantity objectives and it will set limits to achieve these values. There is a greater risk in not acting as the existing RPS provisions do not fully meet Regional Council's statutory obligations to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document.

7.3.5 Evaluation of Policies and Methods to achieve Objectives 42 and 43

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

Use Mātauranga Māori to inform resource management decision making processes in the Kaituna River and achieve the vision, objectives and desired outcomes of the Kaituna River Document.

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 social, economic and cultural well-being of present and future iwi, hapū and communities; and

(b) Ensuring there is sufficient water available to provide for tangata whenua, ecological and recreational values.

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

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

Method 23I: Develop environmental flows/levels and water quality limits in the Rangitāiki River Catchment and Kaituna River

Investigate and develop:

(a) Environmental flows/levels and water quality limits in the Rangitāiki River Catchment and Kaituna River in accordance with the National Policy Statement for Freshwater Management; and

(b) Provisions for the management of flow variability in the Rangitāiki River Catchment and Kaituna River.

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.

7.3.6 Costs and Benefits

	Costs	Benefits
Environmental	<p>Policy KR 4B and Policy KR 9B set out values associated with the use of water by people alongside protection of natural and physical values of importance to tangata whenua and communities. The protection of the mauri of puna (spring) flows is an overarching requirement in Policy KR 4B. This is however balanced with social, economic and cultural values which does not provide the highest level of environmental protection possible and is a minor environmental cost of this policy.</p>	<p>The management of sustainable water allocation and efficient use to achieve the range of values specified in KR 4B will have potentially significant environmental benefits on freshwater ecosystems and habitats in the catchment.</p> <p>The adoption of an approach that has a high level of effectiveness is also a significant benefit of the policy.</p>
Social	<p>There is a minor social cost in requiring the community to invest effort in determining specific values to be achieved.</p> <p>These provisions are likely to constrain some existing water use activities and have a minor impact on employment and possibly land use development opportunities.</p>	<p>The sustainable management of water having regard to social well-being and ensuring sufficient water is available to provide for recreational values (alongside other values) has significant social benefits.</p> <p>Promoting employment opportunities for tangata whenua and communities provides moderate social benefits to the local community.</p> <p>Increased awareness and use of matauranga Maori to inform resource management decision making is a moderate social benefit of Policy KR 3B.</p>
Cultural	<p>The introduction of limits may have opportunity costs in constraining development options for Maori land, especially treaty settlement lands. This has been assessed as a moderate cost.</p> <p>There will be a minor resourcing cost to iwi and hapū in the development and use of matauranga Maori in decision making processes.</p>	<p>The sustainable management of groundwater abstraction to protect mauri, the use of matauranga Maori in decision making processes and increased recognition of kaitiakitanga will provide significant cultural benefits and it will help to ensure the Kaituna River is restored and protected in accordance with tangata whenua tikanga and values.</p> <p>Puna wai (water of a spring) of a whānau or hapū is considered taonga to that hapū or whānau as it carries their mauri. All the waters of a puna make their way into the main stem of a river where they join with the mauri of the river. That way the spiritual essence of the whānau and hapū is part of the River. The protection of the mauri of puna within the Kaituna River catchment</p>

	Costs	Benefits
		and the achievement of a desired outcome of the Kaituna River document is a significant benefit of Policy KR 4B.
Economic	<p>Much of the work required to implement Policy KR 4B is programmed as part of the <i>Essential Freshwater Policy Programme</i>. On this basis, the policy has been assessed as having a minor economic cost to council.</p> <p>Including consideration of Mātauranga Māori in decision making will have a minor economic cost on Councils and water users by introducing an additional matter to consider in applications.</p> <p>The constraints on groundwater use within the catchment that may be necessary to protect mauri of streams will have a minor effect on economic growth and employment opportunities within the catchment.</p>	There are economic benefits for activities reliant on the Kaituna River's ecological, cultural and recreational values as Policy KR 4B provides for sustainable management of groundwater abstraction and it aims to ensure that there is sufficient water available to provide for current and future values.

7.3.7 Efficiency

The proposed policies and methods provide a range of social, environmental and cultural benefits. Provisions dealing with groundwater allocation and flow limits align with the NPS-FM implementation process currently underway via Regional Council's *Essential Freshwater Policy Programme*. Policy KR 4B and modified Method 23I will contribute to the establishment values and environmental flow limits within the catchment. As such these provisions are not expected to introduce significant additional costs to councils as this work is already budgeted for.

The introduction of limits and other measures required to sustainably manage water allocation and efficient use will have economic costs by constraining some land use and industrial activities, however this is necessary to enable the objective to be achieved and setting limits provides certainty and aligns with NPS-FM implementation and is therefore an efficient approach.

With regard to section 32(2)(a)(i) and (ii) opportunities for economic growth and employment to be provided or reduced have been considered.

Achieving the outcomes sought by Objectives 42 and 43 requires a variety of approaches. The proposed policies and methods include the necessary regulation to ensure limits are met. Providing broad direction to ensure mātauranga Māori is incorporated in decision making and that the various dimensions of kaitiakitanga are recognised is an efficient approach to achieve the objectives.

The modification of RPS Methods 23I and 23N to apply to the Kaituna River is an efficient approach as it avoids unnecessary duplication of methods that seek to achieve similar outcomes within a different catchment. This is a departure from the broad approach selected for incorporating the Kaituna River document into the RPS,

however the methods are contained within the Treaty Co-Governance section of the RPS and are closely aligned with achieving the vision, objectives and desired outcomes of the Kaituna River document.

7.3.8 Effectiveness

It is acknowledged that the *Essential Freshwater Policy Programme* will lead to the identification of freshwater values, objectives and environmental flow setting within the catchment. Against this backdrop the policies will be effective as they utilise regulatory intervention to achieve the objective consistent with NPS-FM implementation. This approach is the most pragmatic and effective means of achieving these proposed objectives.

Proposed Policy KR 4B is considered necessary to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document, which clearly articulates the need to manage groundwater use to protect the mauri of puna (springs). Without this policy there is no certainty that water quality will be managed in the catchment to achieve the desired outcome.

The existing policy framework in the RPS does not provide sufficiently for the involvement of matauranga Maori in decision making processes. Nor does it adequately reflect that kaitiakitanga involves balancing the use and development of land and water alongside the protection of cultural values.

7.3.9 Conclusion

Having had regard to efficiency and effectiveness, it is concluded that Policies KR 4B, KR 3B, KR 9B and amendments to Methods 23I and 23N are necessary and appropriate to achieve proposed Objectives 42 and 43.

7.4 Evaluation of provisions to achieve Objective 44

The appropriateness of the policies and methods to achieve Objective 44 are evaluated by looking at the effectiveness and the efficiency of the policy options and the risks of acting or not acting if there is uncertain or insufficient information.

Objective 44 - The environmental well-being of the Kaituna River is enhanced through best management practices

7.4.1 Existing RPS policies and methods

The following existing RPS policies and methods support the achievement of Objective 44:

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

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

Method 12: Take into account iwi and hapu management plans in assessments of environmental effects

Method 27: Provide information about sustainable land management practices

Method 34: Take a whole of catchment approach to the management of natural and physical resources

Method 35: Integrated Catchment Management Plans

Method 41: Promote consultation with potentially affected tangata whenua

Method 42: Evaluate matters of significance to tangata whenua

The options to achieve Objective 44 have been considered in the context of existing RPS provisions to avoid inconsistency and minimise duplication.

7.4.2 Range of policy and method options considered

Objective 44 seeks to ensure that land use activities in the catchment are managed according to best management practice to enhance the well-being of the Kaituna River. The objective is aligned with existing objectives in the RPS relating to water quality, water quantity and rural land use activities and combines and refines elements of these with a specific focus on the Kaituna River.

In addressing this objective, the primary focus is to determine whether it can be best achieved by one of the following options:

Option 1 – Regulatory direction to regional and district plans to require best management practice within the Kaituna River catchment

Requiring regional and district plans to include provisions that require best management practice within the Kaituna River catchment.

Option 2 – Regulatory direction to have particular regard to the adoption of best management practice within the Kaituna River catchment in resource management decision making

Requiring resource management decision making to have particular regard to ensuring activities adhere to best management practices within the Kaituna River catchment.

Option 3 – Non-regulatory guidance and information

Providing information and guidance that supports the adoption of best management practice.

Option 4 – Relying on existing provisions

No new provisions are introduced, and the existing RPS policies and methods are relied on to achieve Objective 44.

7.4.3 Discussion on selected options

Objective 44 is directly focused on achieving the purpose of the RMA as set out in Section 5, in particular enabling people and communities to provide for their social economic and cultural well-being while safeguarding the life supporting capacity of water and avoiding, remedying or mitigating adverse effects resulting from the discharge of sediment and other contaminants into water bodies. The objective includes aspects of various topic areas in the RPS, including water quantity, water quality and land use, and rural and urban growth management.

Existing RPS policies that support this objective generally seek to achieve the efficient use and development of natural and physical resources and to manage the effects of land use activities to avoid or minimise the discharge of contaminants to water. Objective 44 seeks a higher standard through the adoption of best management practices. For this reason, the “status quo” option 4 has not been selected.

Best management practice (BMP) is used to describe pollution prevention practices traditionally focused on applying improved measures and management techniques to work/business resource use. BMPs have been widely used to address hydrology and water quality issues in both agriculture and urban areas. BMP has a wider focus than reducing nutrient losses as part of on farm mitigations to improve water quality. BMP is consistent with Policy WL 6B *‘Managing the reduction of nutrient losses’*. BMP seeks to ensure practical delivery of improved farm management practices as part of a suite of requirements designed to deliver environmental outcomes. It has parallels to good management practice (GMP) which has been adopted in Plan Change 10 (Lake Rotorua Nutrient Management) to the Bay of Plenty Regional Water and Land Plan (PC 10).

Option 1 - Providing broad direction to regional and district plans to require land use activities to adopt BMPs ensures a consistent planning framework and provides clear direction on how the policy is to be implemented. It is an effective approach as it results in the introduction of plan provisions which need to be assessed as part of resource consent processes. As an effective approach this option has moderate long-term environmental and cultural benefits in enhancing the mauri of the Kaituna River. There are moderate economic costs for councils and communities in policy development and implementation as well as for landowners, developers and industry in adopting BMPs.

Option 2 - Requires BMPs to be considered in resource management decision making. This approach ensures a consistent planning framework; however, effectiveness is limited as it requires an activity to trigger a resource consent or similar process to enable consideration of the policy. This limits the ability to achieve improvements in permitted land use activities and associated cumulative effects. The benefit of this option is that it has greater potential for flexibility and adoption of specific measures for particular proposals as part of the assessment of effects. This has potential social and economic benefits to applicants. Providing specific management practices to be included in a resource consent process has a moderate environmental benefit. There will be minor regulatory costs to Councils in assessing these matters as part of decision-making processes.

Option 3 - The use of non-regulatory measures such as the provision of information and guidance on BMP within the catchment may be effective in encouraging innovation and improved environmental performance. However, regulation is also considered necessary. Without a requirement to specifically achieve a BMP standard, these aspects will not be provided for in plans or consistently required in consent processes. As a result, the social and economic benefits of a non-regulatory approach are low. There are minor social benefits in an approach that supports voluntary landowner efforts and requires the community to work together to achieve the outcome.

Option 4 – The existing policies under the relevant topic headings in the RPS generally seek to achieve the efficient use and development of resources and to manage the effects of land use activities to avoid or minimise the discharge of contaminants to water. This option will not achieve Objective 6 of the Kaituna River document which seeks to enhance the environmental well-being of the Kaituna River through improved land management practices.

Overall, it is considered that the most effective policy approach to achieve Objective 44 is by providing direction to regional and district plans (Option 1).

7.4.4 **Risk of acting or not acting if information is uncertain or insufficient**

Section 32(2)(c) of the RMA requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

The risks of acting or not acting because of uncertain or insufficient information was considered in selecting appropriate options. There is sufficient reliable information regarding the benefits of BMP on minimising discharges to ensure the risks of acting are low. The risk of not acting is a lower standard will be accepted in the absence of a policy requiring BMP to be adopted.

Another key risk of not acting is existing RPS policies do not achieve Objective 44 and Council will fail to meet its statutory requirement to recognise and provide for objectives and desired outcomes in the Kaituna River document.

7.4.5 **Evaluation of Policy KR 5B and Methods KR1, KR4, KR5, KR6, 23J, 23N, 23S and 23T**

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

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.

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.

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.

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

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

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

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.

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.

Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River Catchment and Kaituna River

Where appropriate require and in consultation with tangata whenua require:

- (c) *the removal of structures (excluding existing lawfully established hydro-electric dams and power stations) that impede cultural and recreational access in the Rangitāiki River Catchment and Kaituna River;*
- (d) *Where removal is impracticable, employ measures to adapt existing structures (including lawfully established hydro-electric dams and power stations) or provide alternative access points to minimise adverse effects on cultural and recreational access.*

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.*

7.4.6 Costs and Benefits

	Costs	Benefits
Environmental	Policy KR 5B is aimed at improving environmental well-being through BMPs adopted through regulatory and non-regulatory measures. The environmental costs of the policy are low.	The requirement to ensure activities implement BMPs to minimise nutrient losses is a significant environmental benefit of the policy. The combination of managing consented activities and promoting industry incentives and leadership to achieve improved environmental performance also has the potential to generate moderate environmental benefits and assist in achieving community agreed outcomes (in this case primarily for water quality).
Social	Adopting BMPs is likely to constrain development potential which may have a social cost.	There is a social benefit in promoting industry leadership and incentives to support improved land management practices through empowering various sectors of the community to work towards achieving the objective. Industry representatives including

	Costs	Benefits
		<p>Federated Farmers support industry agreed GMPs and consider these are sufficiently flexible and certain to provide for a wide range of farm systems and farm types. This approach has been accepted as part of PC 10.</p> <p>Providing information about sites of cultural significance and ways to incorporate kaitiakitanga increases cultural awareness and understanding which has social benefits.</p>
Cultural	<p>The requirement to implement BMPs may have a minor cost in constraining the development of Maori land or lands managed by Maori Land Trusts.</p> <p>There will be a minor resourcing cost on Maori in identifying sites of cultural significance and integrating kaitiakitanga and rangatiratanga into land use management.</p>	<p>The requirement to manage activities to maintain or enhance the cultural health and mauri of the Kaituna River is a significant cultural benefit.</p> <p>There is a significant benefit in integrating kaitiakitanga and rangatiratanga into land use management.</p>
Economic	<p>There will be economic costs for councils in developing and implementing the policy within regional and district plans along with other parties who participate in the plan making process.</p> <p>There will also be economic costs to councils, rural production activities, commercial and industrial sector groups as the implementation of BMPs could constrain future development potential. The scale of this cost will depend on the degree of improvement and best - good practice required. The effect of meeting Policy KR 5B requirements relative to outcomes sought by existing RPS provisions means the cost of this policy is considered to be minor.</p> <p>The constraints on productive land uses and industry within the catchment will have a minor effect on economic growth and employment opportunities within the catchment.</p>	<p>The opportunities for tangata whenua employment through projects in the Kaituna River is a moderate economic benefit.</p> <p>The sustainable management of the Kaituna River will be enhanced through implementation of this policy and that will protect on-going use of this natural resource.</p>

7.4.7 Efficiency

The proposed policy and methods provide a range of social, environmental and cultural benefits and is consistent with the outcomes sought by existing RPS policies and it achieves the purpose of the RMA as set out in section 5.

Policy KR 5B will support the significant works already underway within the catchment to minimise nutrient losses and improve the mauri of waterways. The policy is not expected to introduce significant additional costs to councils in implementation as it will integrate with best management practice projects and work programmes already budgeted and underway under the Kaituna Action Plan. The policy therefore provides an efficient approach.

With regard to section 32(2)(a)(i) and (ii) opportunities for economic growth and employment to be provided or reduced have been considered.

7.4.8 Effectiveness

The policy is effective in achieving Objective 44 as it requires intervention at the regional and district plan level to ensure best management practices are adopted. Implementing the policy in this manner allows the establishment of a policy and rule framework that recognises the potential benefits and enables activities in an effective manner. A mix of regulatory and non-regulatory measures will support a pragmatic and effective means of achieving Objective 44.

7.4.9 Conclusion

Having regard to its efficiency and effectiveness, it is concluded that Policy KR 5B and Methods KR1, KR4, KR5 and KR6 and amended Methods 23J, 23N, 23S and 23T are necessary and appropriate to achieve the objective.

7.5 Evaluation of provisions to achieve Objective 45

The appropriateness of the policies and methods to achieve Objective 45 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

Objective 45 - The Kaituna River's wetlands, aquatic ecosystems and riparian ecosystems are restored, protected and enhanced to support indigenous species

7.5.1 Existing RPS policies and methods

The following existing RPS policies and methods support the outcomes sought by Objective 45.

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

Policy MN 4B: Encouraging ecological restoration

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

Method 26: Facilitate and support community based ecological restoration programmes.

Method 27: Provide information about sustainable land management practices.

Method 39: Promote coordination among conservation management agencies.

Method 49: Improve biodiversity values of open spaces

Method 55: Identify priority ecological corridors and buffers

Method 64: Encourage agencies and landowners to protect key sites

Method 65: Advocate to establish reserves.

7.5.2 Range of policy and method options considered

Objective 45 seeks to restore, protect, and enhance indigenous vegetation and habitats within the Kaituna River's wetlands, aquatic and riparian ecosystems. The objective is aligned with existing objectives in the RPS although their focus is refined to fulfilling the requirement to protect significant indigenous biodiversity as a matter of national importance under RMA section 6(c).

In achieving Objective 45, the primary focus is to determine the most appropriate option. Potential options are outlined below.

Option 1 – Direction to district and regional plans to ensure the restoration, protection and enhancement of Kaituna River's wetlands, aquatic and riparian ecosystems that support indigenous species

This option requires regional and district plans to include provisions that ensure the restoration, protection and enhancement of Kaituna River's wetlands, aquatic and riparian ecosystems that support indigenous species.

Option 2 – Regulatory direction to regional and district plans to restore, protect and enhance wetlands, aquatic and riparian ecosystems in specified areas

Requiring regional and district plans to include provisions that identify and restore, protect and enhance wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species in specified areas.

Option 3 – Direction to have particular regard to the restoration, protection and enhancement of Kaituna River’s wetlands, aquatic and riparian ecosystems that support indigenous species in resource management decision making processes

This option requires that the restoration, protection and enhancement of wetlands, aquatic and riparian ecosystems that support indigenous species within the Kaituna River be given particular regard in resource management decision making.

Option 4 - Allocation of responsibilities

Directing local authorities to specify objectives, policies and rules including conditions of resource consents, for the control of the use of land to restore, protect and enhance wetlands, aquatic and riparian ecosystems that support indigenous species within the Kaituna River.

Option 5 – Provision of support and guidance to recognise and encourage the restoration, protection and enhancement of Kaituna River’s wetlands, aquatic and riparian ecosystems that support indigenous vegetation and species

This option involves a non-regulatory approach using the provision of support and guidance to encourage the restoration, protection and enhancement of Kaituna River’s wetlands, aquatic and riparian ecosystems that support indigenous species within the Kaituna River.

Option 6 – Relying on existing provisions

This option offers no additional policies or methods to achieve Objective 45 and relies on existing RPS policies and methods.

7.5.3 Discussion on selected options

The maintenance of indigenous biodiversity is a function of regional councils under Section 30(1)(ga) of the RMA. This is alongside a requirement to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance under Section 6(c) of the RMA.

Objective 45 aims to restore, protect and enhance wetlands, aquatic and riparian ecosystems which support indigenous species within the Kaituna River. The objective contributes to fulfilling various requirements under Part 2 of the RMA, including Section 6(a) which requires the preservation of the natural character of wetlands, rivers and their margins, and the protection of them from inappropriate subdivision, use, and development. Section 6(c) is relevant as it requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna to be recognised and provided for as a matter of national importance. The objective also supports various matters listed in Section 7 of the RMA.

Existing RPS policies deal with relevant Section 6 matters. These requirements are addressed by providing for the protection of significant indigenous vegetation and habitats within the matters of national importance section of the RPS. The RPS sets out criteria for identifying and assessing significant values to assist in determining whether protection is required as a matter of national importance.

The policy options to achieve the restoration, protection and enhancement of indigenous species and ecosystem linkages in the Kaituna River catchment as sought by Objective 45, need to complement and be consistent with the existing framework for the protection of significant indigenous values.

Option 1 - Providing broad direction to regional and district plans to protect wetlands, aquatic and riparian ecosystems ensures a consistent planning framework. There are environmental and social benefits in identifying the habitat values within the Kaituna River, wetlands and riparian margins that require protection as the approach provides certainty to plan users. There are moderate economic costs for councils and communities in policy development and implementation as well as opportunity costs for affected landowners as a result of habitat protection. There is the potential for further habitat loss in the interim period before changes to regional and district plans are implemented. This is considered a minor cost with this option.

Option 2 - Requires regional and district plans to restore, protect and enhance particular values in specified sites and areas, as presently required by the regional policy statement (using criteria consistent with those in Appendix F Set 3). This is assessed as being less efficient, due to the differences between the focus of Objective 45 and the existing RPS approach which is focused on identifying sites comprising significant values only. Objective 45 is concerned with all wetlands, aquatic and riparian ecosystems with indigenous species regardless whether they are significant or not. The level of community and tangata whenua engagement would also be high.

Option 3 - Requires direction to consider the protection, restoration and enhancement of wetlands, aquatic and riparian ecosystems in resource management decision making and enables a case-by-case assessment, therefore providing a flexible and effects-based approach. It is potentially less effective at addressing cumulative loss of habitats as it requires a consent process to trigger consideration and will impose moderate costs on applicants through resource consent processes.

Option 4 – The allocation of responsibilities to local authorities is effective in avoiding overlapping responsibilities and will result in a collective response to achieve the objective. There are resourcing costs associated with this however, and it may not fulfil the obligations to recognise and provide for the Kaituna River document in the intended manner by delegating implementation to lower order planning documents.

Collectively, having regard to their efficiency and effectiveness, a range of regulatory and non-regulatory options are appropriate to achieve Objective 45.

Option 5 - The use of voluntary measures to protect riparian margins and wetlands is one of the key approaches currently used by the regional council to protect indigenous biodiversity. Landowner support is essential for the effective protection and enhancement of indigenous habitats on private land. Subsidies are provided to landowners who enter into formal Environmental Programme agreements that normally involve riparian planting, fencing, pest management and stock exclusion.

Some regulatory intervention is necessary to guide policy implementation and ensure a co-ordinated and consistent policy framework which works together to achieve the objective.

Option 6 – Has a moderate level of effectiveness and a high level of efficiency. The existing matters of national importance policies within the RPS and the associated assessment criteria in Appendix F and G address the protection of significant indigenous habitats and ecosystems and encourage ecological restoration and rehabilitation. These provisions assist in achieving Objective 45. The key benefits in relying on the existing RPS provisions is that there are no additional costs associated with the development and implementation of policies to achieve the objective.

If region-wide matters of national importance provisions are relied on to achieve an objective that is specific to the Kaituna River, there is a potential cost. As existing RPS provisions do not provide any specific reference to restoring, protecting and enhancing aquatic, wetlands and riparian ecosystems to support indigenous species within the Kaituna River generally, only those meeting the section 6(c) significance threshold.

Regional Council has a statutory obligation to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River document where they relate to resource management issues in the region. The Settlement Act then requires provision for this in the RPS.

The most appropriate means of achieving the objective is considered to be the addition of a specific policy which is consistent with the RPS matters of national importance policy framework with refinement to directly address the Kaituna River document and achieve Objective 45.

Overall, it is considered that the most effective policy approach to achieve Objective 45 is a combination of regulatory and non-regulatory approaches, with a focus on resource management decision making as the most efficient process for implementation (Option 3).

7.5.4 Risk of acting or not acting if information is uncertain or insufficient

Section 32(2)(c) of the RMA requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

Although there is adequate information regarding the spatial location of larger wetlands and waterways in the Kaituna River, there is inadequate information about the smaller-scale habitat features within these water bodies that provide beneficial habitat for a range of indigenous species. While it may be possible to address this knowledge gap by additional work to map many of these important small-scale habitat areas in small areas, it is recognised that obtaining such information at a scale of the Kaituna catchment will be challenging. Despite this additional works are proposed in the Kaituna Action Plan to map existing ecological corridors and habitats including riparian margins and wetlands, identify priority corridors of riparian/wetland/estuarine margins and areas to connect within the catchment.

In not acting, there is the risk of further loss of wetlands, riparian habitats and areas of indigenous vegetation within the catchment which are not currently protected or being actively restored or enhanced. There is also the risk of not fulfilling the statutory requirement to recognise and provide for the objectives and desired outcomes of the Kaituna River document.

Overall, the risk of not acting outweighs the risk of acting.

7.5.5 Evaluation of Policy KR 6B and Method KR1

Policy KR 6B: Protect, restore and enhance 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 wetlands;

(b) Prioritising funding of biodiversity projects in the Te Tini a Tuna - Kaituna Action Plan;

(c) Undertaking pest management and removal activities; and

(d) Identifying and enhancing ecosystems that support and sustain indigenous flora and fauna.

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.

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

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

(a) Pest and silviculture management services

(b) Fencing services

(c) Council reserves maintenance; and

(d) Environmental monitoring.

7.5.6 Costs and Benefits

	Costs	Benefits
Environmental	The policy places greater focus on non-regulatory efforts to enhance aquatic, riparian and wetland areas than imposing measures to protect existing habitats which is a minor environmental cost of the policy.	<p>Policy KR 6B acknowledges that a variety of approaches is likely to be the most effective option for achieving the objective. The adoption of an approach that has a high level of effectiveness is a significant benefit of the policy.</p> <p>The policy seeks to undertake pest management and removal activities and prioritise the funding of biodiversity projects which is a moderate benefit.</p>
Social	There is a moderate social cost in the protection and enhancement of wetland and riparian habitats on private land. However, the majority of biodiversity projects on private land are voluntary including for example	<p>Use of non-regulatory options provides flexibility and requires landowner buy-in which is a moderate benefit.</p> <p>A non-regulatory approach to the restoration of habitats supports work already undertaken, it acknowledges</p>

	Costs	Benefits
	through Biodiversity Programmes and other projects initiated under the Kaituna Action Plan. This trend could change under a National Policy Statement for Indigenous Biodiversity.	voluntary landowner efforts and reinforces landowner and community collaboration which is a moderate benefit.
Cultural	Costs in protecting and enhancing sites on Maori land and the potential opportunity cost in constraining development options is a minor cost. Wetlands are provided protection under the NPS-FM and this will require changes to the RNRP.	Improvements in the mauri of the Kaituna River and, to wetland, aquatic and riparian habitats support the achievement of objectives and desired outcomes in the Kaituna River document. This is a significant cultural benefit of Policy KR6B. Another significant cultural benefit is the promotion of tangata whenua employment opportunities for Kaituna River projects in Method KR6.
Economic	<p>Much of the work required to implement Policy KR 6B is already planned through the Kaituna Action Plan (Method KR1). The funding of these projects is outlined in the Kaituna Action Plan.</p> <p>There will be a minor cost to councils in administering new provisions.</p> <p>There will be a minor economic cost to landowners resulting from the protection of habitats on private land. Those costs are often heavily subsidised by Government programmes including for example Regional Council's Biodiversity Programme.</p>	<p>It is difficult to quantify the economic benefits associated with the protection of wetlands, aquatic ecosystems and riparian margins.</p> <p>The use of non-regulatory options to enhance habitats has the potential for minor economic benefits by enabling landowners to develop solutions that enable the productive use of land while protecting important habitat values.</p> <p>Employment gained by tangata whenua associated with projects in the Kaituna River is an economic and cultural benefit of Method KR6.</p>

7.5.7 Efficiency

The proposed policy provides a range of social, environmental and cultural benefits and integrates with the existing RPS policy framework for the protection of significant indigenous biodiversity.

The economic costs for implementation are largely already accounted for within the Kaituna Action Plan. The policy is not expected to introduce significant additional implementation costs for councils.

With regard to section 32(2)(a)(i) and (ii) opportunities for economic growth and employment to be provided or reduced have been considered.

Achieving the restoration, protection and enhancement of habitats on private land requires a combination of regulatory and non-regulatory approaches. The policy sets out a range of measures including both regulatory and non-regulatory actions which collectively provide an efficient means of achieving the objective.

7.5.8 Effectiveness

The proposed policy and methods are a highly effective way of achieving Objective 45. The use of non-regulatory measures supports the intended implementation method (this being the Kaituna River Plan) based on the subject matter. Policy KR 6B and supporting methods have been drafted for consistency with provisions in the Kaituna River document.

7.5.9 Conclusion

Having regard to its efficiency and effectiveness, it is concluded that Policy KR 6B and Methods KR 6 and KR1 are necessary and appropriate to achieve Objective 45.

7.6 Evaluation of provisions to achieve Objective 46

The appropriateness of the provisions to achieve Objective 46 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

Objective 46 – Te Maru o Kaituna collaborate with iwi and the wider community to enable environmental, economic, social and cultural aspirations for the restoration, protection and enhancement of the Kaituna River

7.6.1 Existing RPS policies and methods

The following existing policies and methods in the RPS support Objective 46:

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

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

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

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.

Method 9: Provide information to address matters of common interest.

Method 11: Recognise statutory acknowledgement areas

Method 12: Take into account iwi and hapu management plans in assessments of environmental effects.

Method 41: Promote consultation with potentially affected tangata whenua.

Method 42: Evaluate matters of significance to tangata whenua.

Method 47: Collaborate on matters of shared interest.

Method 48: Consider appointing Pūkenga to hearing committees

Method 72: Support industry-led environmental accords, guidelines and codes of conduct.

7.6.2 Range of policy and method options considered

In addressing this objective, potential options include regulatory direction to regional and district plans, regulatory direction as to matters to be considered when making resource management decisions, non-regulatory programmes, or by relying on existing RPS provisions.

Option 1 – Direction to district and regional plans to provide for iwi and wider community collaboration to achieve the aspirations for the restoration, protection and enhancement of the Kaituna River

This option requires regional and district plans to provide for iwi and wider community collaboration to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.

Option 2 – Direction to local authorities to recognise and provide for iwi and wider community collaboration to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River

This option requires local authorities to recognise and provide for iwi and wider community collaboration to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River in resource management decision making affecting natural and physical resources within the Kaituna River Catchment.

Option 3 – Provision of information and guidance to support iwi and wider community collaboration to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River

This option is to develop information and guidance on recognising and providing for iwi and wider community collaboration to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.

Option 4 – Relying on existing provisions

This option offers no intervention and relies on the existing RPS policies and methods to achieve Objective 8 of the Kaituna River document.

7.6.3 Discussion on selected options

Objective 46 recognises that achieving the desired outcomes for the Kaituna River requires a collective and collaborative approach inclusive of Te Maru o Kaituna, iwi and the wider community. This objective contributes to fulfilling various requirements under Part 2 of the RMA, including Section 6(e) which requires the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga to be recognised and provided for. The objective also supports kaitiakitanga and the ethic of stewardship which are required to be given particular regard under Section 7 of the RMA.

The existing policies in the RPS deal with Section 6 matters, including Section 6(e). Whilst this supports the objective to some extent, the policies are not specific enough to effectively achieve the outcome sought by the objective. In particular to enable economic and social aspirations for the restoration, protection and enhancement of the Kaituna River. Relying on the existing provisions will therefore not appropriately satisfy the requirement to recognise and provide for the objectives of the Kaituna River document, in particular Objective 8.

Option 1 - Providing broad direction to regional and district plans to promote a collaborative approach ensures a consistent planning framework and provides clear direction on how Objective 46 is to be achieved. This option has been assessed as having a moderate level of effectiveness in achieving the objective in recognition of the fact that regulation has limitations in actively encouraging and supporting

behaviours, beyond seeking input into plan development processes. This option has moderate social and cultural benefits in ensuring relationships are recognised. There are moderate economic costs for councils and communities associated with resourcing policy development and implementation.

Option 2 - Requires resource management decision making to recognise and encourage collaborative approaches and the need for all sectors of the community to work towards achieving the restoration, protection, and enhancement of the Kaituna River. This approach ensures a consistent planning framework, however effectiveness is limited by the requirement for the activity to trigger a resource consent or similar process to enable consideration of the policy.

In this context collaboration would be assessed as an obligation to consult with other parties that have an interest in the Kaituna River and also a responsibility on applicants to demonstrate that a proposal contributes to achieving the restoration, protection and enhancement of the Kaituna River as part of an assessment. The option has moderate social and cultural benefits in promoting greater involvement in consultation processes and there are benefits in ensuring sites or resources of significance are identified and protected. There will be minor regulatory costs to councils in assessing these matters as part of decision-making processes and moderate costs to consent applicants in assessing proposals against these provisions.

Option 3 - The use of non-regulatory measures such as the provision of information and guidance to encourage collaboration enables a flexible approach to be adopted. This option has potential social benefits for tangata whenua and the wider community in the sharing of information and increased understanding of the values associated with the Kaituna River. There will be moderate economic costs to iwi and councils in resourcing the preparation and distribution of information and supporting activities that promote collaboration.

The existing policies in the RPS deal with various Part 2 matters, including the requirement to have particular regard to kaitiakitanga under Section 7(a). These policies include:

- IW 1B – Enabling development of multiple-owned Maori land
- IW 2B – Recognising matters of significance to Maori
- IW 5B – Adverse effects on matters of significance to Maori
- IW 6B – Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects.

The matters covered by these policies effectively address kaitiakitanga, which is a component of Objective 46. Policy IW 1B seeks to enable the sustainable development of multiple owned Maori land which partly addresses tangata whenua social and economic aspirations. RPS policies have been developed to address Regional Council's statutory responsibility to have particular regard to kaitiakitanga and to achieve Objective 13 in the RPS which seeks recognition of kaitiakitanga in resource management practice.

Option 4 - The key benefits in relying on RPS provisions is there would be no additional costs associated with the development and implementation of policies to achieve the objective. But, the existing policies do not address the key outcome sought by the objective, which is collective collaboration by Te Maru o Kaituna with iwi and the wider community to achieve the desired outcomes of the Kaituna River document.

Overall, it is considered that the most effective policy approach to achieve Objective 46 is by providing broad direction to regional and district plans (Option 1).

7.6.4 Risk of acting or not acting if information is uncertain or insufficient

Section 32(2)(c) of the RMA requires the evaluation of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

The risks of acting or not acting because of uncertain and insufficient information was considered in selecting appropriate options. The objective seeks to enable parties to collaborate to achieve multiple objectives relating to the Kaituna River. Collaborative approaches are used within the existing RPS policy framework to achieve objectives. The risk of not acting is RPS policies do not achieve Objective 46 and Regional Council will not meet its statutory obligation to recognise and provide for the Kaituna River document (specifically Objective 8).

7.6.5 Evaluation of Policies KR 7B and KR 8B and associated methods

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.

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

Enable recreational opportunities along the Kaituna River that do not compromise public safety, access or ecosystem health.

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.

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.

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

Identify specific locations in the Kaituna River that are used for, or that people would like to use for, contact recreation under Policy KR 2B.

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

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

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

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.*

Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River Catchment and Kaituna River

Where appropriate require and in consultation with tangata whenua require:

- (a) the removal of structures (excluding existing lawfully established hydro-electric dams and power stations) that impede cultural and recreational access in the Rangitāiki River Catchment and Kaituna River;*
- (b) Where removal is impracticable, employ measures to adapt existing structures (including lawfully established hydro-electric dams and power stations) or provide alternative access points to minimise adverse effects on cultural and recreational access.*

7.6.6 Costs and Benefits

	Costs	Benefits
Environmental	As noted previously, there are environmental costs associated with increased public access to the Kaituna River resulting from Methods KR2 and 23T including the potential for pests incursions to be initiated or spread to affected areas.	<p>The promotion of information sharing between groups regarding environmental values and ways to restore, protect and enhance the Kaituna River has the potential to result in a moderate environmental benefit by encouraging parties to achieve improvements.</p> <p>Works required to implement the methods, already programmed in the Kaituna Action Plan, will result in positive long-term environmental outcomes through information sharing and collaboration between different hapū, iwi and the wider community. The provision of appropriate amenities (including waste disposal) and safe access may also reduce the potential for environmental damage elsewhere (for example to create other access routes).</p>
Social	There will be a minor resourcing cost for groups involved in identifying locations for access and contact recreation.	<p>There is a significant social benefit in promoting collaboration to improve create opportunities including safe access to the Kaituna River enabling recreational activities.</p> <p>The erection of pou or markers along the Kaituna River will provide a moderate social benefit in enhancing the wider community understanding of sites of cultural significance along the Kaituna River.</p>
Cultural	There will be a moderate resourcing cost to tangata whenua in implementing the methods.	Enabling economic development opportunities for iwi and hapu will provide significant cultural benefits. As will the provision of enhanced access to cultural sites and removal of structures impeding this access.
Economic	There may be minor economic costs associated with constraints on economic development potential resulting from development opportunities to restore protect or enhance the Kaituna River. Or as a result of enabling safe recreational or cultural access. The removal or adaptation of structures impeding cultural and recreational access may also have minor costs.	The enabling of economic development and recreational opportunities in the Kaituna River will provide significant economic benefits.

7.6.7 Efficiency

The proposed policies and methods provide significant cultural and economic benefits and are aligned with other provisions proposed in Proposed Change 5 (Kaituna River) and in the existing RPS. The methods also provide social and environmental benefits.

Work is already programmed to occur or is underway to implement several of these methods via the Kaituna Action Plan. The introduction of the proposed provisions is not expected to introduce significant additional implementation costs as it will integrate with budgeted work in the action plan. The provisions therefore provide an efficient approach.

With regard to section 32(2)(a)(i) and (ii) opportunities for economic growth and employment to be provided or reduced have been considered. The proposed provisions are aimed at enabling economic development and recreational opportunities.

7.6.8 Effectiveness

The proposed policies and methods are effective ways of achieving the objective. The methods integrate with the existing policy framework and assist in implementation by setting out specific actions that will support objectives and desired outcomes in the Kaituna River document.

7.6.9 Conclusion

Having regard to their efficiency and effectiveness, it is concluded that the proposed policies and methods are necessary and appropriate to achieve Objective 46.

Appendix 1: Analysis of Objectives

Final chosen objective	Other alternatives?	Are the alternatives the most appropriate to achieve the RMA
<p>Objective 40</p> <p>The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised, strengthened, enhanced and provided for</p>	<p>Alternative 1. No new objectives are introduced as the RPS Objectives 13, 14, 15, 17 and 21 would be relied on to achieve recognising, strengthening, enhancing and providing for traditional and contemporary relationships that iwi and hapū have with the Kaituna River.</p> <p>Alternative 2. Modify wording of existing RPS objectives to include the recognition and protection of iwi and hapu relationships with the Kaituna River.</p>	<p>Alternative 1 is not the most appropriate option as there are no existing RPS objectives that specifically recognise, strengthen, enhance and provide for traditional and contemporary relationships iwi and hapū have with the Kaituna River. The existing RPS objectives broadly support the achievement of the outcome sought by the proposed objective, however, lack specific reference to Kaituna River iwi and hapū.</p> <p>Objective 21 seeks the recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. The objective contributes towards achieving the outcome sought by Objective, 40 but it lacks specific reference to the Kaituna River and it only infers a historical relationship, whereas proposed Objective 40 specifically refers to contemporary relationships too.</p> <p>Relying on the existing RPS objectives would not fulfil Regional Council's statutory obligation under the Settlement Act to recognise and provide for the objectives and desired outcomes of the Kaituna River document.</p> <p>Alternative 2 would involve amending existing RPS Objective 20 (and 13 or 15) to include specific reference to iwi and hapu relationships with the Kaituna River. This is not the most appropriate option as it introduces a catchment specific requirement into a broad region-wide objective and therefore detracts from its intent. This approach would create an inconsistency with existing region wide RPS objectives and its policy framework. And it would not align with the agreed approach that has been taken to recognise and provide for RPS recognition of Treaty Co-Governance provisions.</p>

Final chosen objective	Other alternatives?	Are the alternatives the most appropriate to achieve the RMA
<p>Objective 41</p> <p>Water quality and the mauri of the water, including groundwater, in the Kaituna River is restored to a state which provides for ecosystem health, human contact, threatened species and mahinga kai values.</p>	<p>Alternative 1. There is no specific objective in the RPS to restore water quality and the mauri of water within the Kaituna River to a state which provides for ecosystem health, human contact, threatened species and mahinga kai.</p> <p>RPS water quality Objectives 17 and 27 would be relied on to recognise and provide for Objective 3 in the Kaituna River document</p> <p>Alternative 2. Modify existing RPS Objectives 17 and 27 to refer to the restoration of water quality within the Kaituna River.</p>	<p>Alternative 1 is not the most appropriate option as RPS Objectives 17 and 27 do not provide sufficient detail to appropriately recognise and provide for Objective 4 and desired outcomes under Objectives 3, 4 and 5 of the Kaituna River document.</p> <p>RPS Objective 17 focus is broader than water and encompasses land, air and geothermal resources and is concerned with safeguarding, and where appropriate, enhancing mauri, over time.</p> <p>RPS Objective 27 is focused on maintaining mauri or enhancing mauri where identified values necessary for its use and protection must be met. Objective 3 of the Kaituna River document is focused on restoring the mauri of water quality to a healthy state to meet agreed standards. <i>Te Mauri me to Reto o te Wai Water - Quality and Quantity</i> in the Kaituna River document includes Objectives 3, 4 and 5 with holistic (for all three) desired outcomes.</p> <p>Alternative 1 fails to meet the Settlement Act statutory obligation to recognise and provide for the objectives and desired outcomes in the Kaituna River document.</p> <p>Alternative 2 is not an appropriate option as it is intended to apply a broad set of requirements to all waterbodies throughout the region. Introducing Kaituna-specific components to the objective would detract from the intent of the objective and its region-wide focus.</p>

Final chosen objective	Other alternatives?	Are the alternatives the most appropriate to achieve the RMA
<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>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>Alternative 1: No new objectives in the RPS to provide for the sustainable allocation and efficient use of water within the Kaituna River to support its mauri and provide for tangata whenua, ecological and recreational values. Existing RPS Objective 30 would be relied on to achieve Objectives 4 and 5 and their corresponding desired outcomes in the Kaituna River document.</p> <p>Alternative 2. Modify existing RPS Objective 30 to provide for the sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and provide for values listed.</p>	<p>Alternative 1 is not the most appropriate option as RPS Objective 30 does not provide sufficient detail to appropriately recognise and provide for the range of values specified in Objective 4 of the Kaituna River document. RPS Objective 30 also lacks a direct focus on ensuring water is allocated in a way that provides for the social, economic, and cultural well-being of iwi, hapū and communities. For this reason, Alternative 1 would not meet the Settlement Act statutory obligations to recognise and provide for the objectives of the Kaituna River document.</p> <p>Alternative 2 is not the most appropriate option as it is intended to apply a broad set of requirements to all waterbodies throughout the region. Introducing Kaituna-specific components to the objective would detract from the intent of the objective and its region-wide focus.</p>
<p>Objective 44</p> <p>The environmental well-being of the Kaituna River is enhanced through best management practices.</p>	<p>Alternative 1. There is no objective in the RPS requiring the promotion of best management practices for the Kaituna River.</p> <p>Existing RPS Objectives 27 and 29 are relied on to recognise and provide for corresponding Objective 6 in the Kaituna River document.</p> <p>Alternative 2. Modify existing RPS objectives to refer to enhancing the well-being of the Kaituna River through best land management practices.</p>	<p>Alternative 1 does not recognise and provide for Objective 6 of the Kaituna River document. Objective 29 seeks to ensure land uses are appropriate to the characteristics and capacity of the land and water, and Objective 44 sets a higher standard requiring best management practice. This alternative would not meet the desired outcomes of the Kaituna River document.</p> <p>Alternative 2 is not the most appropriate option as none of the existing RPS objectives can be easily modified to accommodate the desired outcomes sought by Objective 6 of the Kaituna River document without losing their current focus and intent.</p>

Final chosen objective	Other alternatives?	Are the alternatives the most appropriate to achieve the RMA
<p>Objective 45</p> <p>The Kaituna River's wetlands, aquatic and riparian ecosystems are restored, protected, and enhanced to support indigenous vegetation and species.</p>	<p>Alternative 1. No new objective in the RPS to provide for the restoration, protection and enhancement of the Kaituna River's wetlands, aquatic and riparian ecosystem health and habitats. Instead rely on existing RPS Objectives 19 and 20 to recognise and provide for Objective 7 in the Kaituna River document.</p> <p>Alternative 2. Modify existing RPS Objectives 19 and/or 20 to provide for restoration, protection and enhancement of Kaituna River's wetlands, aquatic and riparian ecosystem health and habitats.</p> <p>Alternative 3. Include an objective that seeks to protect only habitats identified as having significant indigenous biodiversity value within the Kaituna River.</p>	<p>Alternative 1 is not the most appropriate option as RPS Objectives 19 and 20 focus on either protecting significant sites which qualify for protection as a matter of national importance (i.e. section 6(c)) or the preservation of natural character of the coastal environment, rivers and their margins (i.e. section 6(a)). This differs from the desired outcomes sought by Objective 7 of the Kaituna River document which applies more broadly than sites or areas which meet national importance criteria. These outcomes include protection, restoration and enhancement. For these reasons Alternative 1 would not meet the Settlement Act requirement to recognise and provide for objectives and desired outcomes of the Kaituna River document.</p> <p>Alternative 2 is not the most appropriate option as RPS objectives that directly address indigenous habitats and ecosystems are within the matters of national importance section. These objectives are focused on addressing the requirements of Sections 6(a) and 6(c) of the RMA and could not be easily modified to refer to indigenous habitats within the Kaituna River without losing their current focus and intent.</p> <p>Alternative 3 is not the most appropriate option as corresponding Objective 7 in the Kaituna River document is focussed on wetlands, aquatic and riparian ecosystem health and habitats generally rather than only those that are considered significant. This option would not appropriately recognise and provide for the Kaituna River document and it would create potential difficulties in determining what is significant.</p>

Final chosen objective	Other alternatives?	Are the alternatives the most appropriate to achieve the RMA
<p>Objective 46</p> <p>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.</p>	<p>Alternative 1. There is no objective in the RPS requiring collaboration to achieve environmental, economic, social, educational and cultural aspirations for the Kaituna River. Existing RPS Objective 21 is relied on to recognise and provide for the equivalent Objective 8 in the Kaituna River document.</p> <p>Alternative 2. Modify existing RPS Objective 21 to provide for collaboration to achieve the environmental, economic, social, educational and cultural aspirations iwi and the wider community for the Kaituna River.</p>	<p>Alternative 1 is not the most appropriate option as there are no existing objectives in the RPS which promote collaboration to achieve desired outcomes in the Kaituna River document. RPS Objective 21 recognises and provides for the relationship of Maori with their ancestral lands, water, sites waahi tapu and other taonga. Objective 21 does not however promote the broader economic, social, educational and environmental aspirational outcomes sought by Objective 8 of the Kaituna River document. It would not fulfil Regional Council's statutory obligations under the Settlement Act.</p> <p>Alternative 2 is not appropriate as Objective 21 relates specifically to iwi resource management and any modification to refer to wider relationships and to the Kaituna River would significantly change the objective's intent and achieving Regional Council's responsibilities under Section 6(e) of the RMA.</p>

Appendix 2: Analysis of Policies

Analysis of policy options to achieve objectives

Objective 40 - Evaluation of Policy Options to Achieve Objective 40

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1 – Direction to district and regional plans to ensure the relationship that iwi and hapu have with the Kaituna River is recognised, restored enhanced and provided for</p> <p>This option requires regional and district plans to include provisions that recognise, restore and enhance relationships iwi and hapu have with the Kaituna River.</p>	<p>This option is effective in ensuring a consistent planning framework by requiring provisions to be incorporated in statutory planning documents and it provides clear direction on desired outcomes sought by the Kaituna River document.</p> <p>However, this policy framework is partially provided for through Part 2 of the RMA inclusive of section 6(e) and RPS Objective 21 in respect of historical, ancestral cultural relationships and traditions with the Kaituna River . The addition of potentially semi-repetitive RPS requirements specific to the Kaituna River may not provide additional clarity beyond existing RPS provisions and this would still require a level of interpretation. This could lead to variable responses by local authorities and iwi authorities across the Kaituna River Catchment. While this potentially limits the effectiveness of this option, this option best aligns with the Settlement Act to recognise and provide for the Kaituna River document.</p>	Medium	<p>This option has moderate social and cultural benefits in ensuring relationships are recognised, restored, enhanced and provided for. There are moderate economic costs for councils and communities associated with resourcing policy development and implementation. This outcome is anticipated in the Settlement Act (RPS and plan changes at the time of amendment or change for all local authorities).</p> <p>There is a benefit in recognising, enhancing and providing for tangata whenua contemporary and customary cultural relationships with the Kaituna River. As this enables a more comprehensive consideration of their cultural sites, tikanga and customary practises associated with the Kaituna River in a more timely and direct manner during resource management decision making processes.</p>	<p>The option involves a moderate economic cost for councils and communities (including iwi and hapu) associated with policy development and implementation, including consultation, governance and decision-making processes to formulate, establish and implement the consequent regulatory framework.</p> <p>There are moderate social costs when engaging the community in consultation.</p>	Yes

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction on matters to be given particular regard to, in resource management decision making					
Option 2 – Direction to have particular regard to recognising, restoring and enhancing the relationship iwi and hapu have with the Kaituna River	<p>This option provides a framework for assessing development across the Kaituna River Catchment with decision making made at the local authority level.</p> <p>The effectiveness of the policy in achieving the objective, is limited by the requirement for the activity to trigger a resource consent or similar process to enable consideration of the policy.</p> <p>The Settlement Act requires local authorities to have regard to the Kaituna River document for resource consents as an interim measure until such time as the vision, objectives and desired outcomes of the Kaituna River document are recognised and provided for as part of RPS, regional or district plan amendments or changes.</p>	Medium	<p>Provides a consistent framework with regard to traditional and contemporary iwi and hapū relationships ‘considerations’ applicable to the Kaituna River Catchment.</p> <p>Taking a case by case effects-based assessment of activities provides a moderate social and economic benefit to consent applicants by providing flexibility in the manner in which relationships are recognise, restored and enhanced.</p> <p>The option has moderate social and cultural benefits in promoting greater involvement in consultation processes. Through greater recognition of cultural relationships with the Kaituna River and there are benefits in ensuring sites or resources of significance are identified and protected.</p>	<p>The economic costs on councils will be minor and relate to assessment of applications against the policy which forms part of council’s regulatory functions.</p> <p>There will be minor economic costs to resource consent applicants in addressing the policy and to iwi and hapu in engaging in consultation processes, however, the existing planning framework already exists under the Settlement Act and through broad recognition and provision for Maori relationships.</p>	Yes
Non-regulatory options					
Option 3 – Provision of support and guidance to recognise, restore and enhance the relationship iwi and	<p>Informs and supports non-regulatory ways to recognise and encourage to resource management decision making which might otherwise be contestable or open to variable interpretation.</p>	Medium	<p>Allows for flexibility of approach rather than imposition of regulatory policies.</p> <p>This option has potential social and cultural benefits for tangata whenua and the wider</p>	<p>This option will have moderate economic costs to iwi and councils in resourcing the preparation and distribution of information.</p>	No

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
<p>hapu have with the Kaituna River</p> <p>Through non-regulatory programmes, which provide information and guidance on ways to recognise and provide for the relationship that iwi and hapu have with the Kaituna River.</p>	<p>Differs from the RPS policy approach taken in iwi resource management policies. This would create inconsistencies and uncertainty in how customary relationships are recognised and provided for within the catchment.</p>		<p>community in gaining further understanding about historical and contemporary relationships that exist in the Kaituna River.</p>	<p>The lack of any regulatory requirement to recognise and provide for tangata whenua relationships limits councils abilities to ensure this is appropriately addressed as part of development proposals and broader resource management decision making.</p>	
No change					
<p>Option 4</p> <p>No intervention. Existing RPS policies IW 1B and IW 2B are relied on to achieve Objective 1 of the Kaituna River document:</p> <p><i>The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are provided for, recognised and protected.</i></p>	<p>This option involves relying on the existing policies and methods in the RPS to achieve Objective 1 of the Kaituna River document and desired outcomes.</p> <p>There are existing RPS policies which broadly support Objective 1 of the Kaituna River document. They include Policies:</p> <ul style="list-style-type: none"> - IW 1B Enabling development of multiple-owned Maori land. - IW 2B – Recognising matters of significance to Māori - IW 5B Adverse effects on matters of significance to Māori - MN 1B Recognise and provide for matters of national importance - IW 7D Cultivating partnerships between iwi and statutory management agencies. 	<p>Low</p>	<p>The key benefits in relying on the existing RPS provisions is that there are no additional costs associated with the development and implementation of policies to achieve the objective.</p> <p>This option relies on an established policy framework which has been developed through a robust public process and is already being implemented.</p>	<p>There is a potential cultural cost in relying on region-wide matters of national importance provisions to achieve Objective 40.</p> <p>There is a cost to the Regional Council in potentially defending the use of existing RPS provisions to recognise and provide for the objectives and desired outcomes of the Kaituna River Document.</p>	<p>Yes</p>

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
	<p>The matters covered by these policies in part address the relationship of iwi and hapu with the Kaituna River, however, they are not specific enough to effectively achieve the outcome sought by the objective. The policies have been developed to address Regional Council's statutory responsibility to have particular regard to the relationship of Maori with their culture and traditions under Section 6(e) of the RMA.</p> <p>The reliance on the existing policies and methods within the RPS to achieve Objective 40 is not an effective approach.</p>				

Objective 41

Evaluation of Policy Options to Achieve Objective 41

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic and environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1 Regulatory direction to regional and district plans to restore water quality and the mauri of water in the Kaituna River and its tributaries to a state which provides for ecosystem health, human contact, threatened species and mahinga kai</p> <p>This option requires regional and district plans to include provisions that restore water quality and the mauri of water within the Kaituna River Catchment to a state which provides for ecosystem health, human contact, threatened species and mahinga kai.</p>	<p>Providing broad direction to regional and district plans to achieve the restoration of water quality within the Kaituna River ensures a consistent planning framework and integrates the achievement of the objective with implementation of the NPS-FM.</p> <p>This option is effective in enabling specific discharge limits to be established and imposed through regulatory measures to achieve the objective.</p> <p>It also aligns with the statutory obligation set out under the Settlement Act as local authorities have to recognise and provide for the Kaituna River document when they prepare or change their regional policy statement, regional or district plans.²³</p>	High	<p>Has moderate social and economic benefits in providing certainty to improve the water quality and mauri of water within the Kaituna River Catchment resulting in constraints on discharges.</p> <p>This is an effective approach as this option has potentially significant long-term environmental, social, health and cultural benefits through the improvement of water quality within the Kaituna River Catchment</p> <p>This approach will align with and support the <i>Essential Freshwater Policy Programme</i> to implement the NSP-FM.</p>	<p>Existing practices and activities which result in discharges of contaminants to the Kaituna River may be required to change to meet future regional plan requirements for water quality improvements.</p> <p>These could entail potential economic and social costs resulting from a reduction in productivity and costs in investing in new technology or processes or modifying existing activities and/or constraining future potential development opportunities.</p> <p>There will be costs to Regional Council in developing and implementing regional plan provisions, but this work is already underway as part of Council's <i>Essential Freshwater Policy Programme</i> and any additional costs associated with implementing this policy will therefore be minor.</p>	Yes

²³ Section 123 (1) Tapuika Claims Settlement Act 2014

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic and environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction on matters to be given particular regard to, in resource management decision making					
<p>Option 2 Direction to give particular regard to restore water quality and the mauri of water, including groundwater in the Kaituna River to a state which provides for ecosystem health, human contact, threatened species and mahinga kai in resource management decision making processes</p> <p>This option requires the restoration of water quality and mauri to be given particular regard within resource management decision making processes.</p>	<p>This option is considered to be moderately effective in achieving the objective. The approach will ensure a consistent requirement to consider restoring water quality and the mauri of water, including groundwater in the Kaituna River to state which provides for ecosystem health, human contact, threatened species and mahinga kai and will enable opportunities for improvement to be considered on a case-by-case basis and in a flexible manner.</p> <p>The effectiveness of this option is limited in its ability to address cumulative effects of discharges on water quality.</p> <p>A policy approach seeking improvements in water quality through decision making processes will have limited effectiveness without specifying the quality target to be achieved.</p>	Med	<p>There are moderate environmental benefits in enabling immediate consideration of the restoration of water quality through resource consent and other decision-making processes.</p> <p>Taking a case by case effects-based assessment of activities provides a moderate social and economic benefit to applicants by providing flexibility and encouraging innovation.</p>	<p>There are moderate environmental costs if the cumulative effects of discharges and land use activities on water quality are not effectively addressed in the decision-making process.</p> <p>The economic costs on councils will be minor to assess consent applications against the policy.</p> <p>There will be moderate economic costs to resource consent applicants in assessing effects on water quality and achieving an improvement. There will also be moderate economic costs associated with the uncertainty associated with a requirement to improve water quality without specifying contaminant levels or water quality targets.</p>	Yes
Non-regulatory options					
<p>Option 3 - Non-regulatory guidance and information</p> <p>This option involves non-regulatory approaches that provide information and guidance on ways to</p>	<p>Providing information on sustainable land management practices and encouraging riparian protection is an effective approach which can result in improvements in water quality. To achieve the overall improvement in water</p>	Low	<p>This option has moderate social benefits in encouraging the community, landowners and managers to work together to achieve the objective.</p> <p>The absence of regulation has moderate economic benefits to</p>	<p>There will be moderate environmental costs in relying on non-regulatory approaches as there is no certainty that improvements in water quality will be achieved.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic and environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
<p>restore water quality and the mauri of water in the Kaituna River to a state which provides for ecosystem health, human contact, threatened species and mahinga kai.</p>	<p>quality sought by the objective some form of regulation will be necessary to ensure persons undertaking activities that affect water quality are required to work towards an improvement. Non-regulatory approaches on their own are not effective in addressing cumulative effects.</p>		<p>sectors undertaking activities that involve discharges to rivers in the catchment by avoiding potential constraints on productivity.</p>	<p>The economic costs to councils will be low as there are existing programmes of work to encourage sustainable land management practices including protecting riparian margins in order to improve water quality. There will be moderate social and cultural costs resulting from water quality within the catchment remaining in the current degraded state. This option will not support the implementation of the NPS-FM and Te Mana o te Wai obligations or appropriately recognise and provide for the objectives and desired outcomes of the Kaituna River document.</p>	
No change					
<p>Option 4 - Relying on existing provisions No new provisions are introduced, and the existing RPS policies and methods are relied on to achieve Objective 3 of the Kaituna River document.</p>	<p>This option involves relying on the existing water quality policy framework in the RPS to achieve Objective 3 of the Kaituna River Document. This policy framework is based on the identification of catchments at risk and the management of activities within these catchments to ensure water quality targets are achieved or exceeded.</p>	Low	<p>This option has moderate economic benefits to councils and consent applicants in avoiding compliance costs associated with meeting policy requirements to improve water policy. Regional Council could then rely on the <i>Essential Freshwater Policy Programme</i> to implement policy provisions</p>	<p>There will be moderate environmental costs as there is no certainty water quality improvements will be achieved without regulatory intervention. The economic costs to councils will be low as there will be no requirement to develop or implement additional policies or methods to achieve the objective.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic and environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
	<p>The Kaituna River Catchment is not currently identified as a catchment at risk, therefore there are currently no policies within the RPS which will effectively support the achievement of Objective 3 of the Kaituna River document.</p>		<p>to improve water quality in the Kaituna River Catchment.</p> <p>In the interim this option has a minor social benefit in providing flexibility and opportunity for the community to work together towards achieving the objective without regional policy direction.</p>	<p>There will be moderate to significant social and cultural costs resulting from water quality within the catchment remaining in a degraded state.</p> <p>This option will not appropriately recognise and provide for the objectives and desired outcomes of the Kaituna River document.</p>	

Objective 42 and Objective 43

Evaluation of Policy Options to Achieve Objectives 42 and 43

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1 - Direction to district and regional plans to provide for the sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.</p> <p>This option requires changes to the RNRP to include provisions that achieve sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.</p>	<p>This option provides broad direction to regional and district plans to achieve the sustainable allocation and efficient use of water within the Kaituna River.</p> <p>This is aligned with the process established under the <i>Essential Freshwater Policy Programme</i> in particular community values and limit setting process. New policies are required to achieve Objectives 42 and 43.</p> <p>This will ensure a consistent planning framework and integrates the achievement of the objective with the implementation of the NPS-FM.</p> <p>This option is effective in ensuring allocation decisions and flow limits provide for these values and are imposed through regulatory measures to achieve Objectives 4 and 5 along with respective desired outcomes in the Kaituna River document.</p>	High	<p>This option has potentially significant long-term environmental, social, and cultural benefits in ensuring the availability of water is well managed and there is equitable and efficient allocation. The requirements also align with NPS-FM requirements, and will ensure legal requirements to give effect to its direction are met.</p>	<p>There are moderate economic costs for councils and communities in plan development and implementation.</p> <p>There may be costs for parties who use water or discharge contaminants in the Kaituna River catchment. As parties may be required to change their existing activities and practices to meet the requirements of sustainable water allocation and efficient use of water. This has potential economic and social costs through a reduction in productivity and costs in modifying or upgrading existing activities and/or constraining future development opportunities.</p> <p>There will be delays in incorporating and implementing specific values identified in the objectives as this will require changes to the RNRP. This is considered to be a minor cost.</p> <p>The delay in implementing plan provisions to provide for improved water quality will have a moderate environmental cost.</p>	Yes

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction on matters to be given particular regard to, in resource management decision making					
<p>Option 2 - Direction to give particular regard to provide for the sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values in resource management decision making.</p> <p>This option requires provision for the sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and</p>	<p>This approach enables a case-by-case assessment of the effects of specific activities on the sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values and ensuring efficient use and provides some flexibility in options to achieve the objective.</p> <p>The effectiveness of this option is limited in its ability to address cumulative effects of water use and allocation decisions. A policy approach seeking to manage water allocation through decision making processes will have limited effectiveness without including the values in determining allocation limits and minimum flows in the overall allocation framework.</p>	Medium	<p>There are moderate environmental benefits in enabling immediate consideration of sustainable allocation and efficient use through resource consent and other decision-making processes.</p> <p>Taking a case by case effects-based assessment of activities provides a moderate social and economic benefit to applicants by providing flexibility and encouraging innovation.</p>	<p>Without agreed allocation limits and minimum flows in the overall allocation framework the effectiveness is limited and therefore this option has been assessed as having moderate environmental, social and cultural costs.</p> <p>There are moderate environmental and cultural costs if the cumulative effects of water allocation and use are not effectively addressed.</p> <p>The economic costs on councils will be minor and relate to assessment of applications against the policy.</p> <p>There will be moderate economic costs to resource consent applicants in meeting the policy requirements.</p>	Yes

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
provide for tangata whenua, ecological and recreational values to be given particular regard within resource management decision making processes.					
Non-regulatory options					
Option 3 - Provision of information and guidance on ways to provide for the sustainable allocation and efficient use of water within the Kaituna River and to ensure there is sufficient water quantity to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values within the catchment. This option involves non-regulatory approaches that provide information and guidance on ways to improve management of water allocation and efficient use in the Kaituna River.	This option has been assessed as having a low level of effectiveness overall. The use of non-regulatory measures such as the provision of information and guidance on ways to improve the management of water allocation and efficient use within the catchment may be effective in encouraging water users to improve their practices to ensure efficient use. Some form of regulation will be necessary to achieve the overall improvement in water allocation and efficient use and to provide for tangata whenua, ecological and recreational values sought by the objective, to ensure persons undertaking activities that affect water quality are required to work towards an improvement. Non-regulatory approaches on their own are not effective in addressing cumulative effects.	Low	This option has moderate social benefits in encouraging the community, land owners and managers to work together to achieve the objective and in supporting landowner efforts. The absence of regulation has moderate economic benefits to sectors undertaking activities that take and use of water in the catchment by avoiding potential constraints on productivity.	There will be moderate environmental costs in relying on non-regulatory approaches as there is no certainty that improvements in water management and use will be achieved. The economic costs to councils will be low as there are existing programmes of work to encourage the sustainable allocation and efficient use of water. The lack of certainty that improvements in the management of water allocation and availability will be realised is a social, cultural and environmental cost of this option. This option will not appropriately recognise and provide for Objectives 4 and 5 and their desired outcomes in the Kaituna River document.	No

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
No change					
<p>Option 4 – No intervention</p> <p>No intervention and reliance on existing RPS provisions to achieve Objectives 4 and 5 of the Kaituna River Document.</p> <p>This option involves relying on the water quantity policy framework in the RPS to achieve Objectives 4 and 5 of the Kaituna River document to ensure efficient use and sustainable allocation of water in a way that protects ecological, recreational and tangata whenua values.</p> <p>The existing provisions do not provide adequate detail to achieve the desired outcomes for Objectives 4 and 5 in the Kaituna River document, particularly the desire for water allocation to provide for the social, economic and cultural well-being of existing and future generations of iwi, hapū and communities.</p>	Low	<p>This option has moderate economic benefits to councils and consent applicants in avoiding compliance costs associated with meeting policy requirements.</p> <p>This option has a minor social benefit in providing flexibility and opportunity for the community to work together towards achieving the objective without regional policy direction.</p>	<p>There will be moderate environmental costs as there is no certainty that improvements in water allocation and sustainable use will be achieved.</p> <p>The economic costs to councils will be low as there will be no requirement to develop or implement additional policies or methods to achieve the objective.</p> <p>There will be moderate social and cultural costs resulting from water management not providing for the social, economic and cultural well-being of iwi and hapū.</p>	No	

Objective 44

Evaluation of policy options to achieve Objective 44

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1 Regulatory direction to regional and district plans to require best management practice within the Kaituna River Catchment</p> <p>Requiring regional and district plans to include provisions that require best management practice within the Kaituna River Catchment.</p>	<p>This approach is effective in establishing a consistent regulatory planning framework by requiring provisions to be incorporated within statutory planning documents.</p> <p>The directive provides certainty to all parties and provides clear direction on how best management practice policy is to be implemented within a regulatory context.</p>	Medium	<p>This option has social cohesion benefits by providing opportunities for all relevant parties to become involved through the plan development processes.</p> <p>As an effective approach this option has moderate long-term environmental and cultural benefits in enhancing the mauri of the Kaituna River and, it aligns with work programmes underway in the Kaituna Action Plan.</p> <p>Best management practice (BMP) seeks to ensure practical delivery of improved farm management practices as part of a suite of requirements to deliver environmental outcomes. It has parallels to good management practice (GMP) which was agreed to by parties to appeals on PC 10 in 2020.</p> <p>GMP refers to the evolving suite of practicable measures or methods that could be put in place at a land user, sector, community or industry level to assist in achieving community agreed outcomes (in this case for water quality).</p>	<p>There are moderate economic costs for councils and communities associated with regulatory plan development and implementation, including consultation, governance and decision-making processes to formulate, establish and implement the consequent BMP regulatory framework.</p> <p>There may be potential economic costs to councils, rural production activities, commercial and industrial sector groups to implement BMPs as this could constrain future development opportunities.</p> <p>This policy seeks to recognise Objective 6 of the Kaituna River document and its desired outcomes which seek an appropriate mix of rules, incentives and industry leadership.</p>	Yes

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction on matters to be given particular regard to, in resource management decision making					
Option 2 - Regulatory direction to have the adoption of best management practice within the Kaituna River Catchment in resource management decision making. Requiring resource management decision making to have particular regard to ensuring activities and land use change adhere to best management practices within the Kaituna River Catchment.	Option 2 provides a consistent framework for assessing development across the catchment with specific decision making made at the local level. The effectiveness of the policy in achieving the objective, is limited by the requirement for the activity to trigger a resource consent or similar process to enable consideration of the policy. This limits the ability to achieve improvements in permitted land use activities and the associated cumulative effects.	Medium	Provides a consistent framework for assessing or evaluating development or activities across the Kaituna River Catchment. The benefit of this option is that it has greater potential for flexibility and the adoption of specific measures as part of the assessment of effects for a particular proposal. This has potential social and economic benefits to applicants. Providing specific management practices to be included in resource consent process is a moderate environmental benefit of this option.	There will be minor regulatory costs to Councils in assessing these matters as part of decision-making processes. There will be costs incurred through investment in new technology and processes to reflect best management practice.	Yes
Non-regulatory options					
Option 3 - Non-regulatory guidance and information Providing non-regulatory information and guidance that supports the adoption of best management practices.	The use of non-regulatory measures such as the provision of information and guidance on best management practice within the Kaituna River Catchment may be effective in encouraging innovation and improved environmental performance. The effectiveness of this option is determined by the level of support and willingness by	Medium	Allows for flexibility of approach rather than imposition of regulatory policies. Recognises that people can “do the right thing” without compulsion and supports voluntary landowner efforts which is a minor social benefit of this option.	This option will have low resourcing costs to councils in preparing and distributing information. The regional council has existing programmes of work within the catchment to support and encourage sustainable land management practices. Low economic costs to river users, landowners and	No

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
	<p>landowners and industry to consider changes to land use practices.</p> <p>Without a requirement to specifically achieve a best management practice standard, these aspects will not be provided for in plans or consistently required in consent processes. For this reason, regulation is also considered necessary. This policy option alone is not effective.</p>			<p>councils in the absence of regulatory compliance.</p> <p>Environmental, social and cultural costs as there is no assurance that there will be an improvement in the environmental well-being of the Kaituna River through BMPs.</p>	
No change					
<p>Option 4 - Relying on existing provisions</p> <p>No new provisions are introduced, and the existing RPS policies and methods are relied on to achieve Objective 6 of the Kaituna River Document.</p>	<p>Relying on the existing policies within the RPS to achieve Objective 6 of the Kaituna River document is not an effective approach. The existing policies under the relevant topic headings in the RPS generally seek to achieve the efficient use and development of resources and to manage the effects of land use activities to avoid or minimise the discharge of contaminants to water.</p> <p>Objective 6 of the Kaituna River document seeks the well-being of the Kaituna River is enhanced through improved land management practices.</p>	Low	<p>An economic benefit of this option is the avoidance of costs associated with preparing and implementing regulatory plan provisions.</p> <p>This will benefit both Councils and parties involved in the process of plan development and implementation.</p>	<p>This option has moderate cultural, social and economic costs as it would not effectively achieve Objective 6 of the Kaituna River document which seeks to enhance the environmental well-being of the Kaituna River through improved land management practices.</p>	No

Objective 45

Evaluation of policy options to achieve Objective 45

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1 - Direction to district and regional plans to ensure the restoration, protection and enhancement of Kaituna River's wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species</p> <p>This option requires regional and district plans to include provisions that ensure the restoration, protection and enhancement of Kaituna River's wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species.</p>	<p>This approach is effective in requiring a consistent policy framework between statutory planning documents.</p> <p>The directive provides certainty to all parties and provides clear direction on how the policy is to be implemented.</p> <p>The identification of the types of habitats requiring protection promotes a greater level of certainty for plan users and councils.</p>	High	<p>Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the catchment.</p> <p>There are environmental and social benefits in identifying the habitat values within the catchment Kaituna River, wetlands and riparian margins that require protection as the approach provides certainty to plan users.</p> <p>The community assists in developing the various specific protection mechanisms or restrictions through the plan making process. In doing so, all parties work together to achieve the objective.</p> <p>This approach has benefits in providing clarity and certainty for plan users by enabling identification of the habitats requiring protections.</p>	<p>The option involves an economic cost for councils and communities associated with policy development and implementation, including research, consultation, governance and decision-making processes to formulate, establish and implement the regulatory framework.</p> <p>There are potential opportunity costs for affected landowners resulting from requirements to protect habitats.</p> <p>There is a social cost in a regulatory approach that does not recognise the contribution of landowners to protection of biodiversity.</p> <p>The environmental costs with this option relate to the potential delays in implementation of the provisions as they rely on changes to regional and district plans.</p>	Yes

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
<p>Option 2 – Regulatory direction to regional and district plans to protect and enhance wetlands, aquatic ecosystems and riparian margins in specified areas</p> <p>Requiring regional and district plans to include provisions that identify and restore, protect and enhance wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species in specified areas.</p>	<p>This approach is effective in ensuring a consistent policy framework between statutory planning documents although it is inconsistent with the existing approach in the RPS which identifies values to be protected and directs lower order planning documents to identify the areas requiring protection.</p> <p>Gives clear direction for future use and development and certainty about the areas requiring protection.</p> <p>The effectiveness of this option is limited by the practicalities of identifying, assessing and mapping of habitats within the catchment, particularly as this may change over time. To date the focus of district plans has been on identifying and protecting significant terrestrial ecosystems rather than aquatic ecosystems.</p> <p>The effectiveness of the approach will be limited by the changing nature of sites over time as restoration and enhancement occur, necessitating updates to the policy.</p>	Medium	<p>This option has the benefit of providing a high level of certainty regarding the types of habitats requiring protection. This will benefit plan users in interpreting the application of the policy.</p> <p>Enables an overall catchment-wide perspective on habitat areas and assists in identifying and ensuring linkages are maintained.</p> <p>Provides environmental benefits in avoiding the adverse effects on the values of identified areas.</p>	<p>This option would involve economic costs to councils in identifying and evaluating the extent of indigenous habitat areas within the catchment to the level of detail necessary to prepare a schedule.</p> <p>Administrative costs in maintaining and updating a schedule to identify areas.</p> <p>Costs for councils and communities in policy development and implementation. Likely to lead to litigation as landowners challenge scheduling of sites on their land within district and regional plans.</p> <p>There are potential costs for affected landowners as a result of protection requirements.</p>	No
Regulatory direction on matters to be given particular regard to, in resource management decision making					
<p>Option 3 - Direction to have particular regard to the restoration, protection and enhancement of</p>	<p>This option is effective in ensuring the protection and enhancement of habitats is given “particular regard” when considering resource consents, plan changes, heritage protection</p>	High	<p>Enables the specific effects of a particular proposal to be considered. This is an efficient approach which provides a degree of flexibility</p>	<p>There will be an economic cost to resource consent applicants. Costs of investigations, justifications and addressing particular</p>	Yes

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
<p>Kaituna River's wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species in resource management decision making processes.</p> <p>This option requires that the restoration, protection and enhancement of wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species within the Kaituna River be given particular regard in resource management decision making.</p>	<p>orders and notices of requirement for designations.</p> <p>The ability to have regard to the protection of habitats will only apply, however, where an activity status and/or discretion for a subdivision or land use activity enables consideration.</p> <p>This approach alone may not be effective in addressing the cumulative loss of habitat values as it requires a consent process to trigger consideration.</p> <p>Provides a consistent framework for assessing development across the region with specific decision making made at the local level.</p> <p>This option is effective as it provides interim protection until protection is built into the plan.</p>		<p>to ensure site specific protection is provided.</p> <p>Proposals have the opportunity to consider options to provide habitat protection with the potential for a win-win outcome.</p> <p>Requires development to address specified matters.</p> <p>Provides a consistent framework for assessing or evaluating development or activities across the region.</p>	<p>matters which are site specific are borne by the applicant. As applications have to address matters specifically on a case by case basis.</p> <p>There will also be regulatory costs to Councils in assessing these matters as part of decision-making processes.</p> <p>There is the potential for cumulative environmental effects resulting from specific case by case assessments.</p> <p>The social cost is that the community has to be ever vigilant in examining each proposal to ensure protection is achieved.</p> <p>Narrow focus on case by case assessments may reduce the ability to look at the bigger picture in terms of ecological linkages.</p>	
Allocation of responsibilities option					
<p>Option 4 – Allocation of responsibilities</p> <p>Directing local authorities to specify objectives, policies and rules including conditions of resource consents, for the control of the use of</p>	<p>This policy option is effective in clearly establishing lead authorities for indigenous biodiversity maintenance within the catchment.</p> <p>The allocation of responsibilities for the restoration, protection and enhancement of wetlands, aquatic ecosystems and riparian margins to</p>	Medium	<p>Coordinated approaches can generate greater community support, where effective.</p> <p>Potential cost savings through efficiencies from shared use of resources.</p> <p>Enables case by case assessments by local</p>	<p>This option will add organisational and resourcing costs to local authorities in changing district plans to include specific provisions to achieve the objective. This is not an efficient approach as the Regional Council is already implementing projects</p>	No

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
<p>land to restore, protect and enhance wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species within the Kaituna River.</p>	<p>local authorities is inconsistent with the approach in the existing RPS and is therefore not an effective approach in the context of the existing RPS and the importance of integrating with the existing policy framework in a coordinated manner.</p>		<p>authorities without pre-determined approach from regional policy direction</p>	<p>which are working towards the achievement of the objective. This approach may not fulfil the regional council's statutory obligation to recognise and provide for the objectives and desired outcomes of the Kaituna River document.</p>	
Non-regulatory option					
<p>Option 5 – Provision of support and guidance to recognise and encourage the restoration, protection and enhancement of Kaituna River's wetlands, aquatic ecosystems and riparian margins that support indigenous vegetation and species</p> <p>This option involves a non-regulatory approach using the provision of support and guidance to encourage the restoration, protection and enhancement of Kaituna River's wetlands, aquatic ecosystems and riparian margins that support indigenous</p>	<p>The effectiveness of this option relies on voluntary support from landowners within the River to catchment protect and enhance habitats. This approach may be effective in engaging with some parties, however on its own, non-regulatory approaches are not considered to be effective.</p>	<p>Low</p>	<p>Allows for flexibility of approach rather than imposition of regulatory policies. Recognises and supports voluntary landowner efforts. Economic benefits in not having to implement policies or methods. Enables case by case assessments by local authorities without pre-determined approach from regional policy direction. Limited costs on landowners. Landowners have ability to exercise kaitiakitanga and stewardship over sites on their own land. May not require changes to district plans to protect indigenous biodiversity</p>	<p>This option will have resourcing costs to councils in preparing and distributing information. This is unlikely to be a significant cost as it aligns with existing work programmes including through implementation of the Kaituna Action Plan to support the protection of wetlands, aquatic ecosystems and riparian margins. There will be financial costs incurred by landowners undertaking voluntary initiatives. There are likely to be environmental costs with this approach as the lack of regulation is likely to lead to further loss of habitat.</p>	<p>No</p>

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
vegetation and species within the Kaituna River.			generally rather than only significant sites.		
No change					
Option 6 – No intervention This option offers no additional policies or methods to achieve Objective 45 and relies on existing RPS policies and methods.	<p>This relies on existing RPS policies and methods to achieve Objective 45.</p> <p>Policies MN 2B and MN 4B are focused on protecting and enhancing significant indigenous habitats and ecosystems which qualify for protection as a matter of national importance.</p> <p>These policies and other related matters of national importance provisions will be effective in ensuring the protection of significant habitats within the catchment.</p> <p>The policies are not specific enough to be considered highly effective in the overall achievement of Objective 45 and will not satisfy the statutory requirement to recognise and provide for the objectives (in particular 7) and desired outcomes of the Kaituna River document.</p>	Medium	<p>The key benefits in relying on the existing RPS provisions is there are no additional costs associated with the development and implementation of policies to achieve the objective. This avoids financial costs to the regional council as well as district councils in having to amend district plans to give effect to the policy.</p> <p>This option relies on an established policy framework which has been developed through a robust public process and is already implemented.</p>	<p>There is a potential environmental cost in relying on region-wide matters of national importance provisions to achieve a Kaituna Catchment specific objective. These costs could result from incremental loss of habitat values which do not meet the significance threshold for protection as a matter of national importance, however, contribute to the important habitat values within the catchment.</p> <p>There is a cost to the regional council in potentially defending the use of existing RPS provisions to recognise and provide for the objectives of the Kaituna River document.</p>	No

Objective 46

Evaluation of policy options to achieve Objective 46

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1 - Direction to district and regional plans to provide for collaboration to achieve the aspirations for the restoration, protection and enhancement of the Kaituna River</p> <p>This option requires regional and district plans to provide for collaboration to achieve the aspirations for the restoration, protection and enhancement of the Kaituna River.</p>	<p>This option is effective in ensuring a consistent planning framework by requiring provisions to be incorporated in statutory planning documents. It also provides certainty and clear direction on how the policy is to be implemented.</p> <p>This option has been assessed as having a moderate level of effectiveness in achieving the objective in recognition of the fact that regulation has limitations in actively encouraging and supporting behaviours, beyond seeking input into plan development processes.</p>	Medium	<p>This option has moderate social and cultural benefits in ensuring relationships are recognised. It also provides opportunities for parties to participate and provide input into the policy development and implementation processes.</p>	<p>The option involves an economic cost for councils and communities associated with policy development and implementation, including consultation, governance and decision-making processes to formulate, establish and implement the consequent regulatory framework.</p> <p>There is a minor social cost when engaging the community in consultation.</p>	Yes
Regulatory direction on matters to be given particular regard in resource management decision making					
<p>Option 2 – Direction to recognise and provide for collaboration to achieve the aspirations for the restoration, protection and enhancement of the Kaituna River</p>	<p>Recognising and encouraging relationships between communities and the river through resource management decision making is effective in enabling a case by case assessment.</p> <p>The ability to have regard to the policy will only apply, however, where an activity status and/or</p>	Medium	<p>The benefit of this option is that it requires a case by case effects-based assessment and enables the effects of a particular proposal to be considered. This provides flexibility, which has a minor economic benefit to applicants.</p>	<p>Moderate economic costs to consent applicants in assessing proposals against the policy.</p> <p>Minor economic costs to councils in assessing proposals against the provisions.</p>	No

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
<p>This option requires local authorities to recognise and provide for collaboration in resource management decision making affecting resources within the Kaituna River Catchment.</p>	<p>discretion for a proposal allows. In this context recognising and providing for collaboration would be assessed as a positive effect of the proposal as part of the overall assessment, rather than being actively promoted independently of a proposed development or activity. This limits the effectiveness of this approach in achieving the objective.</p>		<p>The option has moderate social and cultural benefits in promoting greater involvement in consultation processes. Through greater recognition of cultural relationships with the river there are benefits in ensuring sites or resources of significance are identified and protected.</p>	<p>Minor social and cultural costs in resourcing consultation processes.</p>	
Non-regulatory options					
<p>Option 3 – Provision of information and guidance to support collaboration in achieving the aspirations for the Kaituna River.</p> <p>This option is to develop information and guidance on recognising and providing for collaboration in resource management decision making affecting resources within the Kaituna River.</p>	<p>A non-regulatory approach is an effective option to achieve an objective focused on recognising and encouraging collaboration. It also enables a flexible approach to be adopted.</p>	<p>High</p>	<p>Allows for flexibility of approach rather than imposition of regulatory policies. Recognises and supports voluntary landowner efforts. Supporting activities that encourage collaboration and increased understanding of the values associated with the Kaituna River promotes social cohesion. There are also significant cultural benefits in encouraging the exercise of kaitiakitanga. This approach has the potential for moderate environmental benefits resulting from an increased awareness of environmental threats and involvement in</p>	<p>There will be moderate economic costs to iwi and councils in resourcing the preparation and distribution of information and supporting activities that promote collaboration.</p>	<p>Yes</p>

Option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, cultural, economic, environmental)	COSTS (social, cultural, economic, environmental)	Efficient?
			activities to protect and enhance the environmental values.		
No change					
Option 4 - No intervention This option offers no intervention and relies on the existing policies and methods in the RPS to achieve Objective 46.	<p>This relies on existing RPS policies and methods to achieve the objective.</p> <p>The existing policies in the RPS deal with various Part 2 matters, including the requirement to have particular regard to kaitiakitanga under Section 7(a). These policies include:</p> <ul style="list-style-type: none"> • Policy IW 2B – Recognising matters of significance to Maori • Policy IW 5B – Adverse effects on matters of significance to Maori • Policy IW 6B – Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects <p>The matters covered by these policies effectively address kaitiakitanga, which is a component of Objective 46.</p> <p>The existing policies do not effectively address the key outcome sought by the objective, which is for collective efforts by all sectors of the community towards achieving the desired outcomes of the Kaituna River document.</p>	Low	The key benefits in relying on the existing RPS provisions is that there are no additional costs associated with the development and implementation of policies to achieve the objective. This avoids financial costs to the regional council as well as amend district plans to give effect to the policy.	There is a cost to the regional council in potentially defending the use of existing RPS provisions to recognise and provide for the objectives and desired outcomes of the Kaituna River Document.	No

Appendix 3: Review of Iwi/Hapu Resource Management Plans

In preparing Proposed Change 5 (Kaituna River), Iwi and Hapū Resource Management Plans (IMPs) applicable to the Kaituna River catchment have been reviewed to:

- Meet the requirements of Section 61(2A)(a) of the RMA. When a regional council is preparing a change to a regional policy statement it must take into account any relevant planning document recognised by an iwi authority.
- Identify and understand the expectations of Iwi and hapū with regards to natural resource management, and particularly in relation to the Kaituna River Catchment.
- Help inform engagement with iwi and hapū about Proposed Change 5 (Kaituna River).

The table below identifies the key issues and desired outcomes / objectives from IMPs where the rohe applies to the Kaituna River catchment. In summary, key principles consistently highlighted across the IMPs reviewed include:

- The importance of exercising kaitiakitanga over land, water and resources within iwi and hapu rohe and a desire to actively participate in resource management processes;
- A requirement to consult with iwi and hapu for all developments and activities;
- A desire to see improved water quality and more sustainable land management practices which reduce sediment and contaminants entering waterways;
- The protection of sites of cultural significance;
- Maintaining and restoring access to sites of cultural significance; and
- Protecting and restoring mahinga kai (customary food resources).

The Kaituna River catchment includes IMPs within both the Okurei and Mauao constituencies.

Okurei Constituency

Ngati Rangiwewehi Iwi Environmental Management Plan (2012)	
Iwi/Hapu/ Iwi Authority	Te Maru O Ngati Rangiwewehi Iwi Authority
Issues	<p>Declining water quality</p> <p>Loss of stream and wetland habitats</p> <p>Loss of traditional food stocks and cultural resources</p> <p>Invasive willows established along stream and lake margins</p> <p>Current minimum flow settings do not provide for the cultural values of Ngāti Rangiwewehi</p> <p>Current water management strategies do not adequately address the cultural values of Ngāti Rangiwewehi</p> <p>Lack of consideration given to Ngāti Rangiwewehi cultural values in water research</p> <p>Lack of water harvesting</p> <p>Cumulative effects of water extractions</p> <p>Increased water demand resulting from urban growth</p> <p>Effects of discharges, including point and non-point source discharges to waterways of human waste and other contaminants</p> <p>Impacts of willow removal on water quality, water temperature and mahinga kai habitat</p> <p>Introduction of exotic weeds by watercrafts, impacts on water ecosystems and margin habitats</p> <p>Erosion and sedimentation from land use and development</p> <p>Draining of wetlands</p> <p>Little or no co-ordinated riparian management over entire catchment</p> <p>Lake level control gates affects stream in-flow dynamic</p> <p>Little or no protection of waterways or parts of waterways of particular spiritual and cultural significance</p>
Objectives/ Desired Outcomes	<p>Waters and ecosystems are healthy and support Ngati Rangiwewehi customs</p> <p>The spiritual and cultural significance of water to Ngati Rangiwewehi is recognised and provided for in all water management</p> <p>Catchment water quality standards; instream minimum flows and flow regimes; lake and tributary levels are consistent with the cultural values of Ngati Rangiwewehi</p> <p>Contaminants discharged directly or indirectly to water are reduced and there is no discharge of human waste directly into water</p>

Te Rautau Te Rahui Taketake – Ngāti Whakaue ki Maketu Hapu Management Plan 2018 - 2028

Iwi/Hapu/ Iwi Authority	Ngāti Whakaue ki Maketu Hapu
Issues	<p>Inadequate recognition of values, interests and mātauranga</p> <p>Impact of land uses and activities on natural resources</p> <p>Impact of land uses and activities, including discharges, on the quality of water within rivers, streams, estuaries and aquifers</p>
Objectives/ Desired Outcomes	<p>To take a more holistic and collective approach to sustainable land use and development</p> <p>Manage the effects of discharges on freshwater and coastal water quality</p> <p>Improve and share knowledge about water quality</p> <p>To ensure there is sufficient water for the taiao (first) and for use (second) and that water use is efficient</p> <p>To improve and share knowledge about water quantity and allocation</p> <p>To restore the health and well-being of the Waihi Estuary such that kaimoana is healthy and plentiful</p> <p>To restore and sustainably manage our taonga fish, shellfish and seaweed species to in turn, enhance cultural, social and/or economic well-being</p> <p>To have more wetland ecosystems that provide healthy habitats for flora and fauna and access for cultural and educational use</p> <p>To restore the balance, health and diversity of ecosystems to enable habitat enhancement for valued flora and fauna</p> <p>We are prepared for, and resilient to, flooding, coastal erosion and the effects of climate change</p> <p>To protect cultural heritage from damage, modification or destruction as a result of land disturbance activities and development</p> <p>To recognise and celebrate cultural heritage, history and identity</p> <p>To share, treasure and revitalise traditional knowledge and practices associated with our taiao</p> <p>To be actively involved, effective and influential within resource management processes, projects and decisions</p>

He Mahere Taiao mo nga Wai o Te Arawa – Te Arawa Lakes Environmental Plan (2019)	
Iwi/Hapu/ Iwi Authority	Te Arawa Lakes Trust
Issues	<p>Inadequate recognition of Te Arawa values, interests and intergenerational knowledge</p> <p>Inappropriate land use and development has degraded the health and mauri of Te Arawa Lakes</p> <p>Inefficient allocation and use of water from rivers and streams which, in turn, feed the Lakes</p> <p>Cumulative impact of inefficient water allocation and inappropriate land use and development on the health of the Lakes and all they sustain</p> <p>Disturbance, loss and fragmentation of ecosystems and habitats from land use and development. This has a cascading and disruptive effect on natural habitats, particularly on riparian, wetland and aquatic habitats. This includes:</p> <ul style="list-style-type: none"> • Loss of significant sites to Te Arawa, such as mahinga kai, cultural resources and access to carry out customary activities • Loss of ecological corridors; the connecting pathways between land-based (forest) and riparian/wetland/aquatic habitats • Loss of biodiversity and indigenous flora and fauna increasingly becoming threatened due to loss of habitat <p>Inadequate recognition of our values, interests and inter-generational knowledge</p> <p>Impacts of land use and development on customary activities and resource use</p> <p>Disconnection of whānau from our customary areas and practices</p> <p>Risk of exploitation or inappropriate use of our cultural knowledge and practices</p> <p>Impacts of land use and development on areas and landscapes of cultural significance located on, and around, Te Arawa Lakes</p> <p>Disconnection of whānau from sites and areas of cultural significance located on, and around Te Arawa Lakes</p>
Objectives/ Desired Outcomes	<p>Restore and enhance the health and diversity of ecosystems and habitats in and around Te Arawa Lakes. This includes:</p> <ul style="list-style-type: none"> • Enhancing and creating wetlands and Lake riparian habitats • Enhancing ecological corridors within and across Lake catchments • Enhancing mahinga kai/kai roto stocks. Value the role that TALT and Te Arawa have to place regarding the Te Arawa Lakes (including rivers, streams and aquifers) <p>Take a targeted approach to improving the habitats in and around Te Arawa Lakes. This includes prioritising efforts in areas that are culturally significant to Te Arawa hapū and Iwi and/or have high ecological value</p> <p>No further degradation or loss of wetlands and significant Lake riparian habitats around the Lakes and their catchments</p> <p>Revitalise and utilise Te Arawa cultural knowledge and practices in relation to native fauna and flora</p> <p>Recognition of the culture and traditions of Te Arawa hapū and associated with their ancestral lands, water, sites, waahi tapu, and other taonga</p> <p>Enable Te Arawa hapū and iwi to:</p> <ul style="list-style-type: none"> • Undertake cultural practices • Reinstate traditional activities

	<ul style="list-style-type: none"> Strengthen and celebrate whakapapa connections in relation to the Lakes <p>Protect and honour sites, areas and landscapes of cultural significance located on, and around, Te Arawa Lakes</p> <p>Recognise and celebrate Te Arawa cultural heritage and identity</p>
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Nga Tikanga Whakahaere Taonga o Ngati Pikiao Whanui Iwi Resource Management Plan (1997)	
Iwi/Hapu/ Iwi Authority	Te Runanga o Ngati Pikiao
Objectives/ Desired Outcomes	<p>That Ngati Pikiao Iwi alone hold the manawhenua and can be kaitiaki over its tribal lands, waters and other taonga</p> <p>That only Ngati Pikiao Iwi alone has the right to determine regional policy as it affects natural and physical resources and taonga within its territories</p> <p>That any regional policy must give effect to this policy statement and Nga Tikanga o Ngāti Pikiao Whanui</p> <p>That all Waahi Tapu within Ngati Pikiao Iwi territory shall be protected from modification or destruction and that the right to modify Waahi Tapu shall remain solely with iwi</p> <p>That Waahi Tapu – Urupa of Ngati Pikiao Iwi must be returned to the Iwi with easements or access ways guaranteed</p> <p>That Ngati Pikiao Iwi owns all waterways and resources within the Confederation of Ngāti Pikiao Iwi territories and is responsible for the management of these waterways</p> <p>That the discharge of all pollutants (including sewerage) into all waterways within the Confederation of Ngati Pikiao Iwi tribal territory shall be prohibited</p> <p>That all activities on the Confederation of Ngati Pikiao Iwi waterways which detrimentally affects waahi tapu, fisheries and water quality shall be prohibited</p>

Mauao Constituency

Waitaha Iwi Management Plan (2014)	
Iwi/Hapu/ Iwi Authority	Waitaha Iwi
Issues	<p>Only a small portion of indigenous fauna and flora species are left as the landscape has been largely modified, degraded or destroyed</p> <p>Threats to fish, birdlife, mammals, invertebrate</p> <p>Modification to water bodies and increased discharge of pollutants to Te Awanui</p> <p>Cows and other stock polluting fresh water</p> <p>Pollution of waterways - inappropriate disposal of rubbish</p> <p>Stormwater run off</p> <p>Effects on rivers and streams as a result of developments</p> <p>Water allocations</p> <p>Dredging</p> <p>Water diversions</p> <p>Pressure from intensive urban developments – household consumption per capita</p> <p>Effects of climate change and long-term sustainability</p> <p>Pollution from farmlands - run-off from agricultural and horticultural activities</p> <p>Pollution - unsustainable disposal of effluent</p>
Objectives/ Desired Outcomes	<p>Waitaha protocols are appropriately implemented in accordance with legislation</p> <p>Full consultation sought, involving meeting with Iwi, regarding major developments</p> <p>Councils and Crown agencies are consistent in the early notification, consultation, and engagement with Waitaha for all decisions related to coastal, land and freshwater use/management occurring within Waitaha area of interest</p> <p>Input to planning and policy alongside Local and Territorial Government where waterways are impacted</p> <p>Regular reports by those with a statutory role responsible for regulating conservation/sanctuaries, waterways</p>

Tapuika Environmental Management Plan (2014)	
Iwi/Hapu/ Iwi Authority	Tapuika Iwi Authority
Issues	<p>There are opportunities to enhance Tapuika well-being associated with Māori Land, Commercial Redress Areas and Cultural Redress Sites</p> <p>Certain land uses and activities have an adverse effect on the health of land, groundwater aquifers, rivers and streams. This affects health, well-being and way of life</p> <p>There has been inadequate recognition of Tapuika values and interests in freshwater management, particularly decision-making</p> <p>Upstream land uses and activities have an adverse effect on the health of the coastal environment</p> <p>Poor coastal water quality affects health, well-being and way of life. At times, we are unable to gather food along the coast</p>
Objectives/ Desired Outcomes	<p>Relationship of Tapuika with water is acknowledged</p> <p>Mauri of waterways is protected and enhanced</p> <p>Tapuika interests and values are reflected in freshwater management</p> <p>Tapuika is actively involved in resource management processes</p> <p>Sites of significance to Tapuika are recognised and protected</p> <p>Access to customary resources for carving, weaving and rongoā (traditional medicine) is enabled</p> <p>Early and meaningful engagement by the Bay of Plenty Regional Council regarding the implementation of the National Policy Statement for Freshwater Management</p> <p>Early involvement with the Bay of Plenty Regional Council in the setting of water allocation limits. This is to ensure that water allocation is equitable, given aspirations of Tapuika to develop its underutilised lands</p> <p>All technical information, particularly relating to water quantity monitoring, is made available in a more user friendly format</p> <p>Allocation limits for freshwater incorporates Tapuika values and interests.</p> <p>Council to provide regular updates in relation to:</p> <ul style="list-style-type: none"> (a) Implementation of the National Policy Statement (b) Establishment of water allocation limits especially regarding tangata whenua involvement

Tuhoromanui – Nga Potiki Environmental Plan 2019- 2029	
Iwi/Hapu/ Iwi Authority	Nga Potiki
Issues	<p>Inadequate recognition of Ngā Pōtiki values, interests and mātauranga in relation to the sustainable management of freshwater within our takiwā</p> <p>The impact of activities on land on the quality of water within our rivers, streams, coastal areas and aquifers. Poor water quality affects instream life, mahinga kai resources, and our ability to drink from, and swim in, our waters</p> <p>The way that freshwater is, and has been, managed, has not been sustainable or compatible with Ngā Pōtiki values</p> <p>Development and use of land within our takiwā has not always been sustainable or compatible with our values</p> <p>Urban development continues to place pressure on the natural resources within our takiwā from an increase of water demand, roading and volumes of waste, stormwater and wastewater produced</p> <p>Inadequate recognition of Ngā Pōtiki values, interests and mātauranga in relation to the sustainable management and development of land within our takiwā</p> <p>Large areas of wetland within our takiwā have been lost due to land development</p> <p>Ecosystems, and the health of ecosystems, have not always been considered within our takiwā. We have more pest plant and animal threats. We have lost valuable of habitats for our taonga flora and fauna species</p> <p>Land development for productive rural and urban use has taken priority over the health of the ecosystems within our takiwā. Wetlands have been drained, streams have been straightened and large tracts of ngahere (forest) have been cut down</p>
Objectives/ Desired Outcomes	<p>To ensure that freshwater planning and allocation occurs in a manner that:</p> <ul style="list-style-type: none"> (a) recognises Ngā Pōtiki values, interests and Mātauranga (b) values our intergenerational knowledge and role as a Treaty partner (c) affords greater priority to the natural limits of our rivers, streams and groundwater aquifers <p>To take an integrated and holistic approach to managing freshwater resources, particularly in relation to the linkages between:</p> <ul style="list-style-type: none"> (a) freshwater quantity and quality (b) the groundwater and geothermal resource (c) land use, freshwater quantity and freshwater quality <p>Avoid further degradation of water quality within our takiwā</p> <p>To improve and share knowledge about freshwater quality, quantity, allocation and use</p> <p>To ensure that aspirations for marae, papakāinga and/or Māori land development within our takiwā is not unfairly disadvantaged by freshwater policies and rules</p> <p>To encourage collective responsibility for the efficient and responsible use of water across all sectors of our takiwā</p> <p>To take a more holistic and collective approach to sustainable land use and development within our takiwā</p>

	<p>To ensure that the sustainable management and development of land within our takiwā occurs in a manner that:</p> <ul style="list-style-type: none"> (a) recognises Ngā Pōtiki values, interests and Mātauranga (b) values our intergenerational knowledge and role as a Treaty partner (c) actively involve us in land catchment management, planning and decision making <p>To reduce the level of nutrient, bacteria and sediment inputs to our waterways from agricultural, horticultural and forestry land uses as well as land disturbance activities.</p> <p>To ensure that land use and development within our takiwā occurs in a matter that:</p> <ul style="list-style-type: none"> (a) is consistent with the natural limits of our lands and waters (b) does not compromise the productive capacity of soils or life supporting capacity of the environment <p>To ensure better processes and outcomes associated with the acquisition of Māori Land and/or disposal of Crown and Council Land</p> <p>No further degradation or loss of remaining wetlands within our takiwā</p> <p>Restore and increase the extent of wetlands within our takiwā. This includes areas which are contiguous with the estuarine ecosystems of Te Tāhuna o Rangataua</p> <p>Wetland ecosystems within our takiwā are diverse, providing healthy habitats for flora and fauna</p> <p>Restore and revitalise our cultural knowledge and practices associated with wetlands</p> <p>Value and manage our taiao as a network of interconnected ecosystems</p> <p>To restore and enhance the health and diversity of ecosystems and habitats within our takiwā for our taonga flora and fauna species</p>
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