

4 Policy Framework

4.1 Introduction

This regional plan fits into a hierarchy of policy statements and plans required or allowed for under the Resource Management Act 1991. The regional plan may not be inconsistent with other Bay of Plenty regional plans, the *Operative Bay of Plenty Regional Policy Statement*, and national policy statements.

4.2 National Policy Statements

National policy statements on matters of national significance that are relevant to achieving the purpose of the Resource Management Act 1991 are prepared by the Minister for the Environment. The only exception is the New Zealand Coastal Policy Statement, produced by the Minister of Conservation. National policy statements must be prepared in the manner set out in Part V of the Act. There were no national policy statements prepared, other than the New Zealand Coastal Policy Statement, at the time this regional plan was publicly notified.

4.3 Operative Bay of Plenty Regional Policy Statement

Regional policy statements are a requirement of the Resource Management Act 1991 (section 60). The *Operative Bay of Plenty Regional Policy Statement* provides an overview of the resource management issues of the Bay of Plenty and promotes the sustainable and integrated management of the natural and physical resources of the region. The regional policy statement includes a series of objectives and policies relating to resource management issues in the Bay of Plenty. It should be noted that the regional policy statement cannot contain rules. They are explicitly limited to regional plans.

The regional policy statement contains a series of sections dealing with resource management issues which will be addressed in this regional plan, including land management, water quality and quantity management, and sections relating to natural character. The regional policy statement has a bearing on this regional plan and the two should be read together. Due consideration of the contents in the Regional Policy Statement was applied in the formulation of the Regional Plan for the Tarawera River Catchment.

4.4 The Regional Coastal Environment Plan

The *Bay of Plenty Regional Coastal Environment Plan* covers the coastal marine area (below the mean high water springs mark) as well as coastal hazards and natural character issues on the landward edge of the coastal marine area (the coastal environment). The quality of water discharged from the Tarawera River to the Pacific Ocean means that there is a close relationship between water classifications and rules in the regional coastal environment plan and this regional plan.

4.5 Bay of Plenty Regional Plans and Strategies

Environment Bay of Plenty is preparing a set of core regional plans covering the broad issue areas of water, air, land management and coastal management over the whole of the Bay of Plenty Region. These plans will be supported by a set of regional resource management strategies to cover specific issue areas such as the integrated management of the Rotorua lakes, flood and drainage control, and river gravel management. As regional resource management strategies develop, any

resultant policy requirements will be incorporated into the core regional plans. Regional plans cannot be inconsistent with each other and Environment Bay of Plenty considers that the core plan structure, reinforced with resource management strategies, will best enable the effective and integrated management of the region's resources, while minimising the possibility of policy conflicts.

4.6 District Plans

The purpose of district plans is to assist territorial local authorities to carry out their functions in order to achieve the purpose of the Resource Management Act 1991. The preparation of district plans is compulsory for territorial authorities. These district plans cover those functions set out in section 31 of the Act.

When both Environment Bay of Plenty and territorial local authorities are obligated to have regard to the same issues, Environment Bay of Plenty will generally only cover those issues of regional significance, while the district plans have regard to both the regionally significant issues and those identified as being of district importance. For example, district plans are likely to cover landscape and heritage values more comprehensively than covered in this regional plan. District plans may need to be reviewed as the result of the preparation of this plan to ensure that they are not inconsistent with this regional plan.

It is important to note that district plans, including those for Whakatane, Rotorua and Kawerau, cannot be inconsistent with the Operative Bay of Plenty Regional Policy Statement or any regional plan for the Bay of Plenty region, including this Regional Plan for the Tarawera River Catchment.

4.7 Management Plans and Strategies Prepared under other Acts

Section 66(2)(c)(i) of the Resource Management Act 1991 requires that in preparing or changing a regional plan, Environment Bay of Plenty must have regard to management plans and strategies prepared under other Acts. At the time this regional plan was prepared the following management plans and strategies has been identified to Environment Bay of Plenty as relevant management plans and strategies prepared under other statutes:

- *Waimangu Scenic Reserve Management Plan* – (Department of Conservation)
- *Okareka Scenic Reserve Management Plan* (draft) – (Department of Conservation)
- *Matata Wildlife Management Reserve Management Plan* (draft) – (Department of Conservation)
- *Draft Conservation Management Strategy* – (Department of Conservation)
- *Western Whakatane Coastal Recreation Reserves Management* – (Whakatane District Council)
- *Game Management Plan* – (Eastern Region Fish and Game Council)
- *Fisheries Management Plan* – (Eastern Region Fish and Game Council)
- *Bregman Wildlife Management Plan* – (Department of Conservation)

4.8 Relevant Planning Documents Recognised by Iwi Authorities

Section 66(2A) of the Resource Management Act 1991 requires that in preparing or changing this regional plan, Environment Bay of Plenty take into account relevant planning documents recognised by iwi authorities affected by the regional plan. The iwi authorities considered to be directly affected by this regional plan are:

Ngati Awa
Ngati Rangitahi

Ngati Tuhourangi
Ngati Tuwharetoa ki Kawerau

Relevant planning documents recognised by iwi authorities and identified to Environment Bay of Plenty, and which Environment Bay of Plenty consequently had regard to during the preparation of this regional plan, are as follows:

- *Tuwharetoa Ki Kawerau Strategic Plan* – Te Runanga o Tuwharetoa Ki Kawerau
- *Issues for Ngati Awa regarding participation in Statutory Resource Management Planning* – Te Runanga o Ngati Awa Trust Board
- *Ngati Awa Policy Statement – Tarawera River* – Te runanga o Ngati Awa Trust Board
- *Ngati Tikanga Tiaki I Te Taiao* – Maori Environmental Management in the Bay of Plenty; consultants report for the *Operative Bay of Plenty Regional Policy Statement*

4.9 Other Legislation

In addition to the Resource Management Act 1991, in preparing this regional plan, regard has been had to other legislation, including but not limited to:

- Land Drainage Act 1908
- Soil Conservation and Rivers Control Act 1941
- Wildlife Act 1953
- The Tasman Pulp and Paper Company Enabling Act 1954
- The Tasman Pulp and Paper Company Enabling Amendment Act 1986 (No.29)
- Conservation Act 1987
- Building Act 1991
- Freshwater Fisheries Regulations 1983
- Historic Places Act 1993
- Biosecurity Act 1993

