

# Regional Direction and Delivery Committee

## NOTICE IS GIVEN

that the next meeting of the **Regional Direction and Delivery Committee** will be held in **Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga** on:

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**Wednesday, 4 April 2018 commencing at 9.30 am.**

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Mary-Anne Macleod  
Chief Executive  
26 March 2018





# Regional Direction and Delivery Committee

## Terms of Reference

The Regional Direction and Delivery Committee has a core function of policy formulation and implementation and monitoring of Regional Council strategy and policy.

### Delegated Function

To set the strategic direction for the Region by formulating policy that clearly identifies Council's role and direction on issues. This will be achieved through the development and approval of Council strategy and policy.

To set the operational direction for approved Regional Council policy and strategy and monitor how it is implemented. This will be achieved through the development of specific operational decisions which translate policy and strategy into action.

### Membership

Chairman and all councillors.

### Quorum

In accordance with Council standing order 10.2, the quorum at a meeting of the committee is not fewer than seven members of the committee.

### Term of the Committee

For the period of the 2016-2019 Triennium unless discharged earlier by the Regional Council.

### Meeting frequency

Six-weekly.

### Specific Responsibilities and Delegated Authority

The Regional Direction and Delivery Committee is delegated the power of authority to:

- Approve and review statutory and non-statutory policy, plans and strategies for:
  - the management of resources in the region;
  - identifying and promoting community aspirations;
  - defining and delivering on Council's roles;
- Approve and review operational policy and plans;
- Develop and review bylaws;
- Receive reporting on consenting, compliance and enforcement;
- Receive reporting from state of the environment monitoring;

- Receive any annual reporting of organisational programmes;
- Enter into contracts on matters within its Terms of Reference to a maximum value of \$700,000 (excluding GST) for any one contract, subject to and within the allocation of funds set aside for that purpose in the Long Term Plan or Annual Plan or as otherwise specifically approved by Council;
- Approve submissions on matters relating to the Regional Direction and Delivery Committee's areas of responsibility that are not delegated to staff;
- Establish subcommittees and hearing committees and delegate to them any authorities that have been delegated by Council to the Regional Direction and Delivery Committee, including those under section 34 of the Resource Management Act 1991, and to appoint members (not limited to members of the Regional Direction and Delivery Committee);
- Delegate to hearings commissioners under section 34A of the Resource Management Act 1991 to exercise the powers, functions duties in relation to any authorities that have been delegated by Council to the Regional Direction and Delivery Committee;
- Establish working groups to provide advice to the Regional Direction and Delivery Committee on its areas of responsibility.

Note:

- The Regional Direction and Delivery Committee reports directly to the Regional Council.
- The Regional Direction and Delivery Committee is not delegated the power of authority to:
  - Approve the Regional Policy Statement and bylaws;
  - Review and adopt the Long Term Plan and Annual Plan;
  - Develop and review funding, financial, audit and risk policy and frameworks;
  - Approve Council submissions on Maori related matters except where submissions may have a wide impact on Council's activities;
  - Develop, approve or review non statutory policy for the Rotorua Te Arawa Lakes.

## Public Forum

1. A period of up to 15 minutes may be set aside near the beginning of the meeting to enable members of the public to make statements about any matter on the agenda of that meeting which is open to the public, but excluding any matter on which comment could prejudice any specified statutory process the council is required to follow.
2. The time allowed for each speaker will normally be up to 5 minutes but will be up to the discretion of the chair. A maximum of 3 public participants will be allowed per meeting.
3. No statements by public participants to the Council shall be allowed unless a written, electronic or oral application has been received by the Chief Executive (Governance Team) by 12.00 noon of the working day prior to the meeting and the Chair's approval has subsequently been obtained. The application shall include the following:
  - name of participant;
  - organisation represented (if any);
  - meeting at which they wish to participate; and matter on the agenda to be addressed.
4. Members of the meeting may put questions to any public participants, relevant to the matter being raised through the chair. Any questions must be asked and answered within the time period given to a public participant. The chair shall determine the number of questions.



# Membership

<b>Chairperson:</b>	P Thompson
<b>Deputy Chairperson:</b>	A von Dadelszen
<b>Councillors:</b>	N Bruning, W Clark, J Cronin, S Crosby, Chairman D Leeder, D Love, T Marr, M McDonald, J Nees, A Tahana, L Thurston, K Winters
<b>Committee Advisor:</b>	R Garrett

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Recommendations in reports are not to be construed as Council policy until adopted by Council.

## Agenda

- 1 Apologies**
- 2 Public Forum**
- 3 Acceptance of Late Items**
- 4 General Business**
- 5 Confidential Business to be transferred into the open**
- 6 Declarations of Conflicts of Interests**
- 7 Previous Minutes**
  - 7.1 Regional Direction and Delivery Committee minutes - 20 February 2018** **13**
  - 7.2 Regional Coastal Environment Plan Appeals Subcommittee minutes - 08 March 2018** **31**
- 8 Presentations**
  - 8.1 Operating Environment**
    - Chairman Leeder - Regional Sector Group update
    - Councillor Crosby - LGNZ update
    - Chief Executive Macleod - UNISA update

## 9 Reports

### 9.1 Vital Signs 2018

Margo McCool from Acorn Foundation will present on this item. 37

### 9.2 Regional Policy Statement Implementation Strategy - Coastal Environment Workstream 41

APPENDIX 1 - Coastal Environment Policies Assessment 51

APPENDIX 2 - Coastal Environment Methods of Implementation Assessment 61

APPENDIX 3 - Coastal Environment Policies and Methods 75

### 9.3 Review of the effect of the New Zealand Coastal Policy Statement 2010 on Resource Management Act decision-making 91

SUPPORTING DOCUMENT - Review of the effect of the NZCPS 2010 on Resource Management Act decision-making: Overview and key findings 99

### 9.4 Triennial Meeting Update Report 101

APPENDIX 1 - Triennial Meeting Report : Climate Change: National & Local Initiatives 105

APPENDIX 2 - Triennial Meeting Report - COBOP March 2018 Network Update 115

## 10 Public Excluded Section

### Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
10.1 Water Quality at Kaiate Falls	To carry out commercial and industrial negotiations	Good reason for withholding exists under Section 48(1)(a)
10.2 Support for Landowners in Lake Rotorua Catchment	To protect the privacy of an individual	Good reason for withholding exists under Section 48(1)(a)

### 10.1 Water Quality at Kaiate Falls 285

APPENDIX 1 - Map of the Kaiate Stream watershed. 291

APPENDIX 2 - Kaiate Falls Upper Catchment Protection Requirements 295

### 10.2 Support for Landowners in Lake Rotorua Catchment 301



<b>11</b>	<b>Reports continued</b>	
<b>11.1</b>	<b>Brown bullhead catfish - incursion update</b>	<b>121</b>
<b>11.2</b>	<b>Catchment Programme Six Month Reports - Rotorua Te Arawa Lakes and Tauranga Moana</b>	<b>127</b>
	APPENDIX 1 - 2017- 2018 Rotorua Te Arawa Lakes Programme (RTALP) 6 Monthly Report	133
	APPENDIX 2 - 2017-2018 Tauranga Moana Programme Six Monthly Report	169
<b>11.3</b>	<b>Integrated Catchments Update</b>	<b>197</b>
<b>11.4</b>	<b>Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme - Upper Whakātane River Addendum</b>	<b>207</b>
	APPENDIX 1 - NERMN Memo Upper Whakatane River March 2018	211
<b>11.5</b>	<b>Freshwater Futures Update</b>	<b>229</b>
	APPENDIX 1 - Regional Sector papers - February 2018 LGNZ Project Updates Water 2050 Climate Change	239
	APPENDIX 2 - TLA Draft Minutes - 14 February 2018	243
<b>11.6</b>	<b>Te Mana Whakahono a Rohe: Update</b>	<b>255</b>
	APPENDIX 1 - RDD Workshop Report -Te Mana Whakahono a Rohe - 14 September 2017	261
	APPENDIX 2 - MWR Implementation & Decisions	271
<b>11.7</b>	<b>Update on actions undertaken by the Port of Tauranga and in the Mount Maunganui industrial area to mitigate discharges</b>	
	To follow under separate cover.	
<b>12</b>	<b>Public Excluded Section</b>	<b>275</b>

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General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
12.1 Public Excluded Regional Direction and Delivery Committee minutes - 20 February 2018	Please refer to the relevant clause in the meeting minutes.	Good reason for withholding exists under Section 48(1)(a).
12.2 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 08 March 2018	To maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).

12.1	Public Excluded Regional Direction and Delivery Committee minutes - 20 February 2018	277
12.2	Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 08 March 2018	281
13	<b>Confidential business to be transferred into the open</b>	
14	<b>Readmit the public</b>	
15	<b>Consideration of General Business</b>	

# Previous Minutes



# Minutes of the Regional Direction and Delivery Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Tuesday, 20 February 2018 commencing at 9.30 a.m.

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## Present:

**Chairman:** P Thompson

**Deputy Chairman:** A von Dadelszen

**Councillors:** T Marr, L Thurston, N Bruning, A Tahana, J Nees, Chairman D Leeder, W Clark, S Crosby, K Winters, M McDonald.

**In Attendance:** F McTavish (General Manager, Strategy & Science), C Ingle (General Manager, Integrated Catchments), J Graham (General Manager, Corporate Solutions), S Omundsen (General Manager, Catchment Management), S Hey (Manager, Chief Executive's Office), D Phizacklea (Regional Integrated Planning Manager), S Lamb (Natural Resources Policy Manager), N Poutasi (Water Policy Manager), R Donald (Science Manager), H Creagh (Rotorua Catchments Manager), I Morton (Strategy & Science Manager), L Mason (Integrated Catchments Programme Manager), Y Tatton (Governance Manager), K Knill (Communications Partner), S MacDonald (Senior Community Engagement Advisor), R Garrett (Committee Advisor).

Attendance in part: M Macleod (Chief Executive), N Steed (Programme Leader (Statutory Policy)), D Llewellyn (In-House Legal Counsel), M Townsend (Engineering Manager), A Miller (Compliance Manager – Primary Industry and Enforcement), S Mellor (Compliance Manager – Urban, Industry & Response), P Buell (BOP Harbourmaster/Manager), A Millar (Senior Planner (Water Quantity)), M Boyd (Senior Planner (RIN)), P Doorman (Senior Planner (Natural Resources Policy)), J Laurent (Senior Regulatory Compliance Officer), E Sykes (Community Engagement EEF Coordinator), F Camburn (Policy Analyst (Natural Resources Policy)), R Waltham (Planner).

External presenters: R and R Whalley (Awatarariki Residents Incorporated Society), G Dennis (Matatā Residents Association), J Farrell and C Batchelar (Whakatāne District Council), L Wragg, L Bowles and M Dillon (Envirohub), G Crowther (Sustainable Business Network).

**Apologies:** Councillors J Cronin and D Love.

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## 1 **Welcome**

The Chair opened the meeting, welcomed the members of the public present, and acknowledged the passing of Ngati Ranginui kaumatua Dr Morehu Ngatoko Rahipere and his contribution to the Tauranga Moana region.

## 2 **Apologies**

### **Resolved**

**That the Regional Direction and Delivery Committee:**

- 1 Accepts the apologies from Councillors Cronin and Love tendered at the meeting.**

**Thompson/Crosby  
CARRIED**

## 3 **Late Items**

### **Resolved**

**That pursuant to section 46A of the Local Government Official Information and Meetings Act 1987 the following items be considered at this meeting:**

- 1 Agenda Item 10.14: Bell Road Mowing Culvert – Update.**

## 4 **General business**

Nil.

## 5 **Confidential business to be transferred into the open**

Nil.

## 6 **Declaration of conflicts of interest**

Chair Thompson declared a conflict of interest with the Envirohub Public Forum presentation, and advised that she would pass the Chair to Deputy Chair von Dadelszen for that agenda item.

## 7 **Public Forum**

The Chair advised that there were five presentations in Public Forum, and that the order of presenters would be Awatarariki Residents Incorporated Society; Matatā Residents Association, Whakatāne District Council, Envirohub and finally the Sustainable Business Network.

Ms Rachel Whalley, representing Awatarariki Residents Incorporated Society (ARI), objected to this order of presenters as a different order had been previously advised. The Chair noted Ms Whalley's objection, advised that the order was at the discretion of the Chair and confirmed the order announced. The Chair further advised that there was no right of reply in a Public Forum and that members could only ask questions of clarification.

Committee Advisor Robyn Garrett outlined the documents members should have received in support of the Public Forum presentations; being two documents from ARI and one from the Matatā Residents Association and confirmed these documents had been circulated to members.

## 7.1 **Awatarariki Residents Incorporated Society**

*Refer Tabled Documents 1 and 2.*

Chairperson Mr Rick Whalley, supported by Ms Rachel Whalley, addressed members on behalf of ARI. Mr Whalley advised that ARI represented the owners of 16 properties in the Awatarariki fanhead area, that ARI opposed the Whakatāne District Council (WDC) private plan change request and asked that Regional Council reject or put on hold the request. ARI considered that WDC should follow a pathway of risk reduction not risk avoidance, that mitigation options to reduce risk existed and that residents should be able to determine for themselves the level of risk they were prepared to live with. Mr Whalley also felt that the WDC process had been mismanaged and that residents had not been fully consulted; and expressed concerns over the accuracy of WDC reports on debris flow risk and the efficacy of various mitigation options. He also advised members that ARI and WDC were in negotiations to form a Memorandum of Understanding (MOU) which addressed obtaining independent expert assessment of several issues at WDC cost, and suggested that consideration of the private plan change request be delayed while the MOU was finalised.

Ms Whalley then drew members' attention to several sections of the accompanying Section 32 Evaluation Report, prepared for WDC for the private plan change request; in particular the scenario testing and risk status given to Matatā in Plan Change 2 to the Regional Policy Statement compared to other high risk areas identified in the region, and that Awatarariki has been "singled out" for this scrutiny and methodology with the option of a regional plan change to address high risk sites on a region-wide basis being excluded by the S32 Report. Ms Whalley considered that notification of the private plan change should be full public notification rather than limited to affected parties only.

Members asked questions of clarification regarding the number of properties represented by ARI and methods available to residents to manage and mitigate risk themselves, and clarified actions taken by Awatarariki residents in the recent Edgecumbe flood event.

## 7.2 **Matatā Residents Association**

*Refer Tabled Document 3.*

Chairman Gavin Dennis spoke on behalf of the Matatā Residents Association (the Association) and advised members of the Association's support of ARI, and similarly requested that the WDC private plan change request be rejected or put on hold for six months to allow other mitigation options to be fully investigated. Mr Dennis considered that WDC had focused its efforts on the removal of residential dwellings from the Awatarariki fanhead area without thorough investigation of other mitigation options, such as planting and construction of bunds. Mr Dennis emphasised the right of Awatarariki residents to hold onto their homes and property if possible, and urged that all mitigation options that would enable residents to choose whether to stay or go be independently investigated and evaluated. Mr Dennis also noted the Association's concern about the impact the loss of the Awatarariki residents would have on the wider community, particularly in regards to maintaining community services such as the local school, sports teams and volunteer organisations, and the impact on rates; and

acknowledged the emotional and financial strain that the 13-year process had placed on the affected residents.

Members received clarification from Mr Dennis regarding the status of the substantial residue bank on the western side of the Awatarariki Stream and the impact and reach of the debris flow in relation to the railway line; and clarified that the construction and use of bunds to protect residents was not a current engineering solution but an option that residents wished to be independently investigated. Mr Dennis also clarified that, although the long process to date had been extremely stressful for residents, a further delay of six months would be acceptable if it provided certainty that all options had been properly investigated.

### 7.3 Whakatāne District Council

*Refer Tabled Document 4.*

Manager Strategic Projects Jeff Farrell and Boffa Miskell consultant Craig Batchelar noted apologies for the Mayor and Chief Executive and then summarised the WDC process around the development of WDC's private plan change request. Mr Farrell noted that WDC had followed direction provided by Regional Council's Audit and Risk committee, that WDC's risk analysis followed Regional Council guidelines and that the proposed private plan change gave effect to the natural hazard provisions in the Regional Policy Statement. Mr Farrell assured members that WDC had not taken the issue lightly, and that other options such as debris deflection bunds, the use of early warning systems and catchment management processes had been thoroughly considered. In WDC's assessment, only two options remained to manage the Awatarariki debris flow risk – voluntary managed retreat or the adoption of planning restrictions. Mr Farrell advised that WDC rejected the residents' assertions of lack of consultation and considered it had consulted extensively, and clarified that the MOU with ARI was still under negotiation. Mr Farrell noted that WDC supported limited notification of the private plan change and preferred Council to adopt their request.

In response to members' questions, Mr Farrell clarified the time line of WDC consideration of all mitigation options and explained the conclusion reached by WDC that early warning systems would be ineffective in the Awatarariki area.

#### **Attendance**

Councillor Winters left the meeting at 10.20 am.

### 7.4 Envirohub

#### **Conflict of Interest**

Councillor Thompson relinquished the Chair to Deputy Chair von Dadelszen for this presentation.

*Refer presentation link: <https://spark.adobe.com/page/L054z7QTlsglN/>*

Laura Wragg and Lindsay Bowles presented to members on the current projects and work being undertaken by Envirohub BOP. Ms Wragg noted Envirohub's vision of a "greener more sustainable Bay of Plenty" and their aim to educate and empower people to make changes in their everyday lives. Ms Bowles outlined key Envirohub projects, which included Sustainable Backyards, the rongoa project, the Speakers Forum with Climate Change experts, a music concert for environmental action, beach and estuary clean-ups, involvement in Predator Free BOP, the Katikati Environmental Expo, the Sustainable Art Challenge and a campaign against single-use plastic. Current funding received from Council was acknowledged.



A member advised that the Predator Free BOP rat traps degraded quickly in the coastal environment.

## 7.5 Sustainable Business Network

### Chair

Councillor Thompson resumed the Chair.

*Refer PowerPoint Obj. ID: A2812303*

Glen Crowther presented to members on the vision and current projects of the Sustainable Business Network (SBN). Mr Crowther explained the background, structure and membership of SBN, noted its nationwide presence and outlined the current use of Council's Community Initiatives Funding in the Bay of Plenty. Mr Crowther highlighted key areas of SBN focus: smart transport, the circular economy, smart procurement solutions, million metres streams, the good food network and sustainable tourism. Mr Crowther also outlined a Climate Change Action Plan and considered Council should take an active leadership role in this area.

The Chair thanked all Public Forum speakers for their presentations.

### Order of Business

The Chair advised that, to accommodate presenters and members of the public, Public Excluded Agenda Item 9.1 would be considered next, followed by Agenda Item 10.1.

## 8 Public Excluded Section

### Resolved

**Resolution to exclude the public**

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

**The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
9.1 Request for Plan Change: Awatarariki Fanhead, Matatā	To maintain legal professional privilege.	Good reason to withhold exists under Section 7.

Thompson/von Dadelszen  
CARRIED

## 9 Reports

### 9.1 Request for Plan Change: Debris Flow Risk Management on the Awatarariki Fanhead, Matatā

The Chair outlined key points of the decision-making process on the plan change request for members and noted:

- It was a private plan change request from WDC;
- Regional Council had 30 days to respond;
- Staff had advised that there were no grounds to reject or hold the request;
- Legal advice received was that the decision had to be made at this meeting and could not be delayed;
- Members must approach the decision with an open mind and have regard to the information presented to them, particularly the Section 32 Evaluation Report;
- The proposed plan change would proceed through a full hearings process with independent Commissioners;
- WDC would separately notify a district plan change and both plan changes would be considered jointly.

Regional Integrated Planning Manager David Phizacklea and In-House Legal Counsel Donna Llewellyn summarised the report for the members and noted that the purpose of the report was to enable the Committee to consider whether to adopt, accept, or (if specific grounds were met) reject a request from Whakatāne District Council to change the Bay of Plenty Regional Natural Resources Plan by inserting provisions for debris flow risk management on the Awatarariki fanhead, Matatā.

Ms Llewellyn noted that, as the request for the plan change had been formally received on 22 December 2017, a decision must be made by 23 February 2018. Ms Llewellyn outlined the legislative grounds required to be met for a plan change request to be rejected (for example that the request is frivolous or vexatious or inconsistent with a policy statement or plan) and noted that staff advice was that this request did not meet these grounds and therefore there was no option for members to reject the request. Ms Llewellyn distinguished between the options of “adopt” or “accept”, and explained that if the private plan change was adopted it would in effect become a Regional Council plan change, with costs and responsibilities sitting with Council; while if the private plan change was accepted Council’s role would be arm’s length and process-based with costs shared.

A member queried whether either the “adopt” or “accept” options would have any impact on the WDC/ARI MOU process; Ms Llewellyn clarified that the MOU negotiations were an entirely separate process, and that either accepting or adopting the private plan change request would have no effect on that process. The timing of when the plan changes went to hearing might afford opportunity for further input of any outcomes from the MOU process.

A member requested clarification regarding limited notification of the private plan change. Mr Phizacklea noted the staff recommendation supported limited notification on the basis that it was not appropriate to open a discrete regional community issue up to a national audience for discussion and input, and that limited notification expedites the process in order to give certainty to residents. Members noted that the community interest was wider than the immediately directly affected properties, and that limited notification should include the wider Matatā community and iwi interest.

## **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Change: Debris Flow Risk Management on the Awatarariki Fanhead, Matata;**

- 2 Records that it has had particular regard to the Section 32 Evaluation Report that accompanied the request for a regional plan change;
- 3 Accepts the proposed regional plan change under clause 25(2)(b) of Schedule 1 to the Resource Management Act 1991;
- 4 Agrees to limited notification of the proposed regional plan change under clause 5A of Schedule 1 to the Resource Management Act 1991; and directs that the limited notification includes Awatarariki Fanhead residents, the wider Matatā community, tāngata whenua, Department of Conservation and relevant utility operators;
- 5 Delegates to the Chief Executive to make decisions about:
  - i. the timing of notification;
  - ii. whether to hear submissions on the regional plan change and the district plan change jointly with Whakatāne District Council;
  - iii. the establishment of a hearing panel and its terms of reference including the authority to make decisions on submissions; and
  - iv. the appointment of hearing commissioners.
- 6 Reserves to itself the authority to approve the final regional plan change under clause 29(4) of Schedule 1 to the Resource Management Act 1991.

von Dadelszen/Crosby  
CARRIED

Abstention: T Marr

### **Adjournment**

The meeting adjourned at 12.10 pm and reconvened at 12.40 pm.

### **Attendance**

Councillor Winters rejoined the meeting during the adjournment.

## **10 Previous Minutes**

### **10.1 Regional Direction and Delivery Committee minutes - 30 November 2017**

#### **Resolved**

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Confirms the minutes, Regional Direction and Delivery Committee minutes - 30 November 2017 as a true and correct record.

Thompson/Nees  
CARRIED

## 10.2 Public Excluded Regional Direction and Delivery Committee minutes - 30 November 2017

### Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Confirms the minutes, Public Excluded Regional Direction and Delivery Committee minutes - 30 November 2017 as a true and correct record.

Thompson/Nees  
CARRIED

## 10.3 Regional Coastal Environment Plan Appeals Subcommittee minutes - 20 November 2017

### Resolved

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 Receives the Regional Coastal Environment Plan Appeals Subcommittee minutes - 20 November 2017.

Nees/Thompson  
CARRIED

## 11 Presentations

### 11.1 Operating Environment

Chairman Leeder updated members on recent Regional Sector Group activities. The Chairman noted that there had been two Ministerial visits, from Ministers O'Connor and Parker; with emphasis placed on biosecurity by Minister O'Connor and on the Land and Water Forum report *Better Freshwater Management* by Minister Parker; Minister Parker also showed interest in water allocation issues and the impact and management of sediment. Both Ministers appeared willing to listen to local government.

Councillor Crosby outlined recent work undertaken by LGNZ; key points included the adoption of the draft Business Plan; Ministerial emphasis on regional development; costs of Treaty settlements for local authorities; online voting trial in 2019; the reintroduction on the four wellbeings into the Local Government Act; rating and valuation of Māori land; issue of a living wage and the freedom camping issue.

Councillor Nees advised members that the day's Parliamentary Order Paper listed the second reading of both the Tauranga Moana and Ngāti Ranginui Settlement Acts.

General Manager Strategy and Science, Fiona McTavish, tabled a document summarising potential areas of central government change for members' information.

## 12 Reports continued

### 12.1 Kawerau Geothermal System Management Plan Approval

*Refer PowerPoint Obj. ID: A2809710*

### **Conflict of Interest**

Councillor Marr declared his position as a trustee of the Ngāti Tūwharetoa Settlement Trust but did not anticipate a conflict with this agenda item.

Natural Resources Policy Manager Stephen Lamb, Senior Planner Penny Doorman and Mercury Energy Environmental Manager Mark Henry updated members on progress with the Kawerau Geothermal System Management Plan and sought the Committee's approval of the Management Plan.

Mr Henry summarised the development of the Plan, explained the major features of the Kawerau geothermal resource and noted the challenges faced to bring together different commercial entities. Ms Doorman noted Council's role in administering the major resource consents and advised members that the Management Plan, while taking a whole system perspective, was based around the four major consents granted for the geothermal resource and clarified that the Management Plan was not an RMA "plan" and did not rewrite existing consents. Ms Doorman also advised that there was a need for a kaitiaki perspective on the overall sustainability of the system but that this would be implemented outside of the System Management Plan.

### **Attendance**

Councillor Clark left the meeting at 1.10 pm and returned at 1.15 pm.

Members sought and received clarification around the different extractive uses and the generation capacity of the resource; and were advised that not all consented take was currently used as the uptake of consented take was managed through staged development and that there was still some availability for future users.

A member queried if there were any inherent risks to Council in approving the Management Plan; staff clarified that there was no further risk than that already held by Council in its administering of the resource consents.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Kawerau Geothermal System Management Plan Approval.**
- 2 Approves the Kawerau Geothermal System Management Plan.**
- 3 Delegates to the General Manager Strategy and Science the authority to approve any minor changes, including grammatical and formatting, to the Kawerau Geothermal System Management Plan.**

**Leeder/Nees  
CARRIED**

## **12.2 Giving effect to the National Environmental Standards for Plantation Forestry - Policy Implementation**

Natural Resources Policy Manager Stephen Lamb and Policy Analyst Freya Camburn provided members with an overview of the National Environmental Standards (NES) for Plantation Forestry and consequent changes required to Council's plans to meet legislative requirements for implementation and to ensure Council plans are consistent with the NES. Ms Camburn explained that any resource consent required for

plantation forestry activities would be regulated under the NES requirements not Council plans and noted that there were only limited areas where Council requirements could be more stringent than the Standard. Ms Camburn also noted that the NES did not provide for any cultural effects assessment and advised that Council could address this gap through its own rules.

Members expressed concern about the scale of environmental effects of forestry and queried whether implementation of the NES strengthened Council's role in consenting and compliance monitoring of forestry activities; staff clarified that the NES did not necessarily provide stronger rules but different rules.

### **Attendance**

The Chair left the meeting at 1.22 pm and Deputy Chair von Dadelszen assumed the Chair; Councillor Thompson rejoined the meeting at 1.25 pm and resumed the Chair.

Clarification was provided that the NES did include a provision that would allow Council to charge for certain monitoring activities and staff were investigating the process to amend current charging rules.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Giving effect to the NES for Plantation Forestry - Policy Implementation.**
- 2 Approves under section 44A(5) and (6) of the Resource Management Act the required changes to the Regional Natural Resources Plan (Appendix 1 to this Report) to align regional plan provisions with the National Environmental Standard for Plantation Forestry.**
- 3 Notes that these changes will be implemented without the use of Schedule 1 of the Resource Management Act.**
- 4 Notes that staff will report back on options for the consideration of effects on cultural heritage as part of forestry activities in the Bay of Plenty region.**

von Dadelszen/Clark  
**CARRIED**

## **12.3 Plan Change 13 (Air Quality) - Technical Documents**

Natural Resources Policy Manager Stephen Lamb updated members on the status of feedback received from the public on the technical documents to be incorporated into Plan Change 13.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Plan Change 13 (Air Quality) – Technical Documents.**
- 2 Notes that there is no community feedback on the technical documents to consider.**

- 3 Approves the incorporation by reference of the following technical documents into Plan Change 13 (Air Quality) of the Regional Natural Resources Plan:**
- a. **Resource Management (National Environmental Standards for Air Quality) Regulations 2004;**
  - b. **Ambient Air Quality Guidelines 2002;**
  - c. **AS/NZS 4014.6:2007 Domestic solid fuel burning appliances – Test fuels – Wood pellets;**
  - d. **AS/NZS 4013:2014 Domestic solid fuel burning appliances – Method for determination of flue gas emission;**
  - e. **AS/NZS 4012:2014 Domestic solid fuel burning appliances – Method for determination of power output and efficiency.**

**Thurston/Marr  
CARRIED**

## **12.4 Appeals to Proposed Change 3 (Rangitaiki River) to the Bay of Plenty Regional Policy Statement**

Regional Integrated Planning Manager David Phizacklea and Programme Leader (Statutory Policy) Nassah Steed updated members on the status of appeals received on Proposed Change 3 (Rangitaiki River) to the Bay of Plenty Regional Policy Statement, and outlined the process moving forward.

Members sought clarification around the difference in staff delegation between this process and the Regional Coastal Environmental Plan (RCEP) appeals process. Mr Phizacklea explained that the substance and number of appeals received were such that it was appropriate that they be resolved at staff level, whereas more numerous appeals made the involvement of elected members through a sub-committee appropriate for the RCEP.

A member noted that there was some sensitivities in the process and requested that staff keep elected members informed.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Appeals to Proposed Change 3 (Rangitaiki River) to the Bay of Plenty Regional Policy Statement;**
- 2 Notes the delegation to staff to resolve appeals received against Council's decisions and that final approval of Change 3 following resolution of appeals lies with full Council.**

**Bruning/Thurston  
CARRIED**

## 12.5 **Understanding our Chemical Signature - Response to the requests of Jodie Bruning**

Councillor Bruning advised members of a possible conflict of interest in that Jodie Bruning was his daughter-in-law.

Science Manager Rob Donald advised members regarding recommended responses to requests received by full Council from Jodie Bruning at the Council meeting of 14 December 2017. Mr Donald clarified that the Freshwater Rescue Plan created obligations on central rather than local government. In response to a member's question regarding chemical monitoring, Mr Donald further clarified that while Council itself did not always monitor for specific chemicals in discharges, discharge consent holders were generally required to monitor for specific chemicals as necessary.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Understanding our Chemical Signature - Response to the requests of Jodie Bruning;**
- 2 Agrees that BOPRC will participate in the 2018 National Survey of Pesticides in Groundwater;**
- 3 Agrees that BOPRC will not proceed at this time with the requests related to the Rotorua Te Arawa Lakes Programme and 'degraded hotspots' but will reconsider when the results from the groundwater survey are available;**
- 4 Notes that Council has included \$100,000 in the draft LTP 2018-2028 under the Science Activity to investigate EOCs (emerging organic contaminants) in Tauranga Harbour.**

**Thompson/Nees  
CARRIED**

## 12.6 **Current State and Management of Rotorua Urban Streams**

Science Manager Rob Donald and Rotorua Catchments Manager Helen Creagh noted that this report, which provided members with information on the state and management of streams that flow through the Rotorua urban area, had been requested by Komiti Māori, and advised that the report would also be presented to Komiti Māori and the Rotorua Te Arawa Lakes Strategy Group. Ms Creagh outlined various projects undertaken under the Rotorua Te Arawa Lakes Programme that impacted on various streams and noted that the aim of the Programme was based around improving land-use to improve water quality. Ms Creagh also highlighted the importance of engaging local voluntary groups in these issues and noted that there were various funds available to support landowners and community groups to undertake initiatives to improve waterway quality.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**



- 1 **Receives the report, Current State and Management of Rotorua Urban Streams;**
- 2 **Notes that staff will continue to work with community-led initiatives to improve the health of urban streams in Rotorua.**

**Thurston/Winters  
CARRIED**

## 13 **Public Excluded Section**

### **Resolved**

**Resolution to exclude the public**

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

**The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

<b>General Subject of Matter to be Considered</b>	<b>Reason for passing this resolution in relation to this matter</b>	<b>Grounds under Section 48(1) LGOIMA 1987 for passing this resolution</b>
<b>Landowner support mechanisms in Lake Rotorua Catchment.</b>	<b>To protect the privacy of natural persons.</b>	<b>Good reason to withhold exists under Section 7.</b>

**Thompson/Thurston  
CARRIED**

## 14 **Reports continued**

### 14.1 **Proposed Amendments to the Community Initiatives Fund Framework**

Community Engagement EEF Coordinator Eddie Sykes updated members regarding the development of criteria for Community Initiatives Fund (CIF) requests and explained the different criteria proposed for organisations applying for funding under \$20,000 and over \$20,000. Mr Sykes informed members that the criteria had been updated and changed to ensure consistent evaluation of project applications for funding, and that a template had been developed to help provide consistency of applications.

In response to a member's query, Mr Sykes clarified that the template was at this stage available as a hardcopy but that an online template would be investigated. A member also suggested that the definition of amounts of funding per term could be further clarified as the information required for a multi-term application was different from that required for a single year application.

## Resolved

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Community Initiatives Fund Framework;**
- 2 Approves the amended Community Initiatives Fund Assessment Framework.**
- 3 Confirms that the decision has a low level of significance as determined by Council's Significance and Engagement Policy.**

**Marr/von Dadelszen  
CARRIED**

### 14.2 **Combined Irrigation / Flood Control Storage in Upper Rangitaiki**

General Manager Integrated Catchments Chris Ingle, Engineering Manager Mark Townsend and Strategy and Science Manager Ian Morton updated members regarding discussions held with the Galatea Irrigation Society on next steps to take to progress a community irrigation scheme following the outcome of the Cullen report. Mr Townsend advised that a follow-up report to Council on proposals around this issue would be provided in the second half of 2018.

Members acknowledged the frustration of residents at the perceived lack of action and prioritisation of work by Council; but also noted that the situation was complicated by the impacts of the Aniwhenua Dam on Galatea landowners.

Mr Ingle advised members that staff would bring a specific item to the next Committee meeting regarding the possibility of review of the Aniwhenua Dam resource consent.

## Resolved

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Combined Irrigation / Flood Control Storage in Upper Rangitaiki;**
- 2 Notes that a follow-up report on the River Scheme Sustainability project work is to be prepared in the second half of 2018;**

**Leeder/Clark  
CARRIED**

## Order of Business

The Chair advised that Agenda Item 10.14 would be considered next.

### 14.3 **Bell Road Culvert Update**

Engineering Manager Mark Townsend updated members on progress made regarding the Bell Road Mowing Culvert and its effect on peak flows during rainfall events. Mr Townsend advised that Council was working in a joint project team with NZTA, Beca and Tauranga City Council to provide a solution and was assisting with the provision of a model for assessment purposes. Issues with calibration of the model had resulted in delays with the model build.

Members sought clarification around liability and were advised that legal advice received put liability with NZTA and their consultant. Members acknowledged the frustration of local landowners with the length of time being taken to develop a solution.

## **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Bell Road Mowing Culvert – Update.**

**Nees/Clark  
CARRIED**

### **14.4 Freshwater Futures Update**

Strategy and Science Manager Ian Morton and Water Policy Manager Namouta Poutasi provided members with an update on recent activities in the freshwater area at both regional and national level, including progress with draft Regional swimmability targets and various plan change processes, and drew members' attention to the various documents appended to the report. Ms Poutasi noted that Tauranga Moana Advisory Group was to receive a presentation from Tina Porou regarding giving effect to Te Mana o Te Wai, and that the report would be circulated to members.

## **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Freshwater Futures Update;**

**Thompson/Leeder  
CARRIED**

### **14.5 Catchment and Water Models Used in Council**

Science Manager Rob Donald and Senior Planner Andrew Millar updated members on the use of catchment and water models across the Council and within the Rangitaiki and Kaituna-Pongakawa-Waitahanui Water Management Areas in support of the Plan Change 12 process in particular. Mr Donald advised members that models are used as tools to inform policy development and directed members' attention to the diagram on pg. 281 of the agenda as a useful summary to explain the various models used across Council and their different purposes.

## **Attendance**

Councillor von Dadelszen left the meeting at 2.37 pm and rejoined it at 2.45 pm.

A member queried whether the extra time taken to calibrate the Pongakawa Catchment modelling indicated the model would be less reliable; Mr Donald clarified that the delay was largely due to the involvement of other stakeholders and the model should end up more robust. Mr Donald also clarified that the climate change scenarios used in the models were provided by NIWA as benchmark scenarios.

## **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

**1 Receives the report, Catchment and Water Models Used in Council.**

Thompson/Leeder  
CARRIED

**14.6 Tauriko West Urban Development Update**

Regional Integrated Planning Manager David Phizacklea and Planner Rebekah Waltham updated members on the status of the Partnership Engagement Agreement: Te Kauae A Roopu, and the Streamlined RMA Planning Process for Proposed Change 4 to the Regional Policy Statement - Tauriko West Urban Limits. Mr Phizacklea advised members that the final direction from the Minister regarding the streamlined planning process should be gazetted by the end of February. Mr Phizacklea noted that consultation was not required with Hauraki iwi, and that Tauranga City Council had offered to present directly to Council on structure planning in Tauriko West and Te Tumu.

**Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

**1 Receives the report, Tauriko West Urban Development Update.**

Crosby/Nees  
CARRIED

**14.7 Update on actions undertaken by the Port of Tauranga to mitigate dust discharges and establishing the Mount Industrial Environment Group**

Compliance Managers Stephen Mellor and Alex Miller updated members on actions taken by the Port to mitigate dust discharges and other activities which impact on the surrounding environment. Mr Mellor advised members that he was happy with the progress being made by the Port to address these issues and that the Port was moving in the right direction. Members emphasised the need for Port compliance to be regularly monitored and of a consistently high standard, and noted the concern expressed by Minister Parker regarding Council compliance and enforcement functions and a possible role for the Ministry for the Environment in this space.

Mr Mellor advised members that the first meeting of the Mount Industrial Environment Group was scheduled for 22 February.

**Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

**1 Receives the report, Update on actions undertaken by the Port of Tauranga to mitigate dust discharges and establishing the Mount Industrial Environment Group;**

Thompson/Crosby  
CARRIED

## 14.8 **Update on Regulatory Services Activity during 2017/2018 Summer**

*Refer PowerPoint Obj. ID: A2812376*

Compliance Manager Alex Miller and Harbourmaster Peter Buell updated members on the activities undertaken by the Regulatory Service Group over the 2017/2018 summer period. Mr Miller outlined compliance and monitoring statistics for that period, and noted the number of abatement and infringement notices given.

Members requested that a comparison be provided with previous 12-month figures over the appropriate period. A member asked several questions of clarification regarding the application of the new bylaw regarding naming and registration of jet skis, and the number of speed infringements issued.

### **Resolved**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Update on Regulatory Services Activity during 2017/2018 Summer;**

**Von Dodelszen/Crosby  
CARRIED**

## 15 **Public Excluded Section**

### **Resolved**

**Resolution to exclude the public**

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

**The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

<b>General Subject of Matter to be Considered</b>	<b>Reason for passing this resolution in relation to this matter</b>	<b>Grounds under Section 48(1) LGOIMA 1987 for passing this resolution</b>
<b>11.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes – 20 November 2017</b>	<b>To maintain legal professional privilege.</b>	<b>Good reason to withhold exists under Section 7.</b>

**Thompson/Thurston  
CARRIED**

**The meeting closed at 3.08 pm.**



**Minutes of the Regional Coastal Environment Plan Appeals Subcommittee Meeting held in Wairoa Room, Bay of Plenty Regional Council, First Avenue, Tauranga on Thursday, 8 March 2018 commencing at 1.01p.m.**

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**Present:**

**Chairman:** P Thompson

**Deputy Chairman:** J Nees

**Councillors:** J Cronin

**In Attendance:** D Phizacklea (Regional Integrated Planning Manager), J Noble (Senior Planner RIN), J Durham (Committee Advisor)  
M Hill (Legal Counsel, Cooney Lees Morgan)

**Apologies:** Nil

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**1 Apologies**

Nil

**2 Public Forum**

Nil

**3 Acceptance of Late Items**

**Resolved**

That the Regional Coastal Environment Plan Appeals Subcommittee under its delegated authority:

Pursuant to section 46A of the Local Government Official Information and Meetings Act 1987, considers the following tabled item at the meeting:

Tabled document 1	Draft proposal to resolve the Natural Heritage appeal topic	Public Excluded Agenda Item 7.2	Regional Coastal Environment Plan Appeals Update – March 2018
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Thompson/Nees  
CARRIED

**4 General Business**

Nil

## 5 Declaration of conflicts of interest

Nil.

## 6 Previous Minutes

### 6.1 Regional Coastal Environment Plan Appeals Subcommittee minutes - 20 November 2017

#### Resolved

That the Regional Coastal Environment Plan Appeals Subcommittee under its delegated authority:

- 1 Confirms the Regional Coastal Environment Plan Appeals Subcommittee Minutes of 20 November 2017 as a true and correct record.

Cronin/Nees  
CARRIED

## 1 Public Excluded Section

### Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
7.1 Public Excluded Regional Coastal Environment Plan Appeals Subcommittee minutes - 20 November 2017	Please refer to the relevant clause in the open meeting minutes	Good reason for withholding exists under Section 48(1)(a).
7.2 Regional Coastal Environment Plan Appeals Update – March 2018	Withholding of the information is necessary to maintain legal professional privilege.	Good reason for withholding exists under Section 48(1)(a).

Thompson/Cronin  
CARRIED

The meeting closed at 2.17pm



# **Presentations**



# Reports



Receives Only – No Decisions



**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** David Phizacklea, Regional Integrated Planning Manager

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## Vital Signs 2018

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### Executive Summary

Vital Signs 2018 was published in February 2018 as four sub-regional reports covering the Bay of Plenty - Western Bay of Plenty (including Tauranga), Eastern Bay of Plenty, Rotorua, and Taupō. The reports identify what is important to our region's communities.

Vital Signs is a research tool used to understand community perceptions. It was undertaken as a collaborative project between Bay of Plenty Regional Council, the Acorn Foundation, Key Research, territorial authorities and community organisations.

A series of launch events were held in Tauranga, Rotorua, Whakatāne and Taupō during the second to last week of February 2018. Members received copies of the Vital Signs 2018 reports at the time they were launched.

Acorn Foundation will be presenting to the Committee on the findings from Vital Signs 2018.

Council will use the data collected in the development of Vital Signs 2018 to inform its planning and decision making.

### Recommendations

**That the Regional Direction and Delivery Committee under its delegated authority:**

**1 Receives the report, Vital Signs Research Project.**

#### **1 Purpose**

The purpose of this report is to advise on people's perceptions of their communities across the Bay of Plenty from the recently completed Vital Signs research project.

#### **2 Background**

Vital Signs is a research tool used to understand community perceptions of the place where they live. It looks at the social, cultural, health, environmental and economic well-being of the area and identifies the key priorities according to residents.

The Toronto Community Foundation first started Toronto's Vital Signs Reports in 2001, the goal was to help the Foundation understand needs and opportunities in Toronto and to make informed choices about its grant making and programming. Since then, Vital Signs has moved steadily from the edge of the Foundation's work toward its core. Vital Signs has also been adapted by 35 other community foundations across Canada and 14 communities internationally across four continents.

Vital Signs is trademarked in Canada and only a Community Foundation such as Acorn can implement a Vital Signs project, however, the research data is freely available for all local funders and agencies to use. Research data will assist all local funders to identify what people see as the key issues facing their community particularly as we move to work in closer collaboration and co-operation.

### **3 Vital Signs and Bay of Plenty Regional Council**

In 2015 Acorn initiated the first Vital Signs research project in New Zealand. That report covered the Western Bay of Plenty (including Tauranga).

In 2016 Acorn hosted a meeting with relevant partners to gauge support for a bay wide Vital Signs project. BOPRC provided funding towards the initiative and graphics support to produce the documents.

Vital Signs 2018 was undertaken as a collaborative project between the Acorn Foundation, BayTrust, Bay of Plenty Regional Council, TECT, Tauranga City Council, Western Bay of Plenty District Council, Whakatāne District Council, Kawerau District Council, Ōpōtiki District Council, Eastern Bay Energy Trust, Rotorua Lakes Council, Rotorua Energy Charitable Trust, Geyser Community Foundation for Taupō and Rotorua, Taupō District Council, Key Research, and The Big Picture.

For the first time, the research has also been undertaken in the Eastern Bay of Plenty and Rotorua/Taupo regions, providing a rich insight into how local people feel about the place they call home, as well as becoming a key tool for local funders, councils and business leaders to inform their planning and decision making, across the whole Bay of Plenty.

### **4 Vital Signs 2018**

Vital Signs 2018 covers four geographical areas; Western Bay of Plenty (including Tauranga), Eastern Bay of Plenty, Rotorua, and Taupō.

Data was collected from invitations posted to residents asking them to complete a survey. A total of 25,400 invitations were sent to residents in the Tauranga/Western Bay of Plenty with 1,939 responses to the survey received. A total of 12,700 invitations were sent to residents in each of the other sub-regions, with 768 (Eastern Bay), 874 (Rotorua) and 639 (Taupo) responses received to the survey.

From the data collected and analysed, the results were compiled as four separate sub-regional reports and published in February 2018. The reports identify what is important to our region's communities.

The full Vital Signs 2018 reports are available to read or download as follows:

Western Bay/Tauranga  
<http://www.acornfoundation.org.nz/>

Rotorua & Taupō

<http://www.geysercf.org.nz/index.php/home-mainmenu-26>

Eastern Bay

<http://www.easternbaycommunityfoundation.nz/vital-signs-research-report-2018.html>

A series of launch events were held in Tauranga, Rotorua, Whakatāne and Taupō during the second to last week of February 2018. A joint media release was sent out on 27 February 2018.

Councillors were provided with printed copies of the four Vital Signs 2018 reports at the time of the launch of the reports.

Acorn Foundations Operations Manager Margot McCool presented on Vital Signs 2018 to the Triennial meeting on 14 March 2018. Ms McCool will also present to the Regional Direction and Delivery Committee meeting.

Data collected by Key Research during the production of Vital Signs 2018 is available for BOPRC staff to use to inform planning and decision making.

The Acorn Foundation plan to repeat the survey every three years.

## 5 What do the results tell us?

Natural Environment, climate and air quality rated highest, in all sub-regions, as the things respondents loved most about living in the Bay of Plenty. Ninety-one percent of respondents in Tauranga/Western Bay rated these factors as number one.

Priorities for improvement vary across the sub-regions. The top three priorities for each of the four sub-regions are listed below in order of importance to respondents.

### Tauranga/Western Bay

- Planning for the region's growth – 50%
- Cost of living – 40%
- Transportation/roading networks – 39%

### Eastern Bay of Plenty

- Availability of jobs – 47%
- Drug and alcohol abuse – 43%
- Cost of living – 32%

### Rotorua

- Drug and alcohol abuse – 40%
- Cost of living – 36%
- Availability of jobs – 28%

### Taupō

- Availability of jobs – 39%

- Planning for the region's growth – 34%
- Cost of living – 34%

One of lowest scoring areas is in safety, including child abuse, domestic violence, drug and alcohol abuse.

Sport and recreation rated high. Housing received the lowest scores across the survey. B- scores in the reports are referred to as 'doing well'.

Access to mental health services didn't arise as an issue three years ago in the first Western Bay/Tauranga survey results but scored as an issue in all four sub-regions this time.

Another area that falls short across the region is supporting young adults. The need to keep people engaged in education and training until they're ready to move on to full employment is evident.

## **6 Council's Accountability Framework**

### **6.1 Community Outcomes**

This project/proposal directly contributes to the Regional Collaboration and Leadership Community Outcome in the council's Long Term Plan 2015-2025. It provides information and data that can be used to inform planning and decision making.

### **6.2 Long Term Plan Alignment**

This work is planned under the Regional Integrated Planning activity in Year 2 of the Long Term Plan 2015-2025.

#### **Current Budget Implications**

This work was undertaken within the current budget for the Regional Integrated Planning Activity in the Annual Plan 2017/2018 or Year 3 of the Long Term Plan 2015-2025. BOPRC provided \$15,000 towards the costs of the research and also provided in-kind support, including designing the Vital Signs 2018 reports.

#### **Future Budget Implications**

There are no future budget implications.

Rebekah Waltham  
**Planner**

**for Regional Integrated Planning Manager**

**26 March 2018**





Receives Only – No Decisions

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** David Phizacklea, Regional Integrated Planning Manager

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## **Regional Policy Statement Implementation Strategy - Coastal Environment Workstream**

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### **Executive Summary**

This report presents the implementation work stream for the Regional Policy Statement (RPS) Coastal Environment provisions. It sets out how implementation of the RPS Coastal Environment policies and methods is tracking and whether the relevant objectives are being achieved.

The RPS Coastal Environment provisions are well on track to be implemented, through the 15 specific policies and 22 methods. The second generation Bay of Plenty Regional Coastal Environment Plan contains provisions that give effect to the RPS Coastal Environment provisions at a plan level.

The RPS Coastal Environment provisions are being considered in Council's consent processes and through responses to resource consent applications for subdivision and land use activities in the coastal environment to the region's city and district councils.

Implementation gaps include Method 8 which requires the identification of areas or sites in the coastal environment of significance or special value to Māori. Method 8 requires consultation with coastal tangata whenua and will be initiated in conjunction with other work arising from current Environment Court appeal proceedings on the Regional Coastal Environment Plan, including those around marine spatial planning.

It is encouraging implementation of the RPS Coastal Environment provisions is high as it was identified as a high priority RPS implementation workstream by Council in 2016.

### **Recommendations**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Regional Policy Statement Implementation Strategy - Coastal Environment Workstream;**
- 2 Notes the RPS Coastal Environment provisions are well on track to be implemented prior to the formal review of the second generation Regional Policy Statement in 2024.**

## 1 Purpose

The purpose of this report is to present the implementation work stream for the Regional Policy Statement (RPS) Coastal Environment provisions. It sets out how implementation is tracking, identifies key actions, timeframes, responsibilities and any resourcing gaps necessary in order to ensure the Coastal Environment provisions are implemented during the life of the second generation RPS.

## 2 Background

The Regional Policy Statement (RPS) became operative on 1st October 2014. The purpose of regional policy statements is set out in Section 59 of the Resource Management Act, as follows:

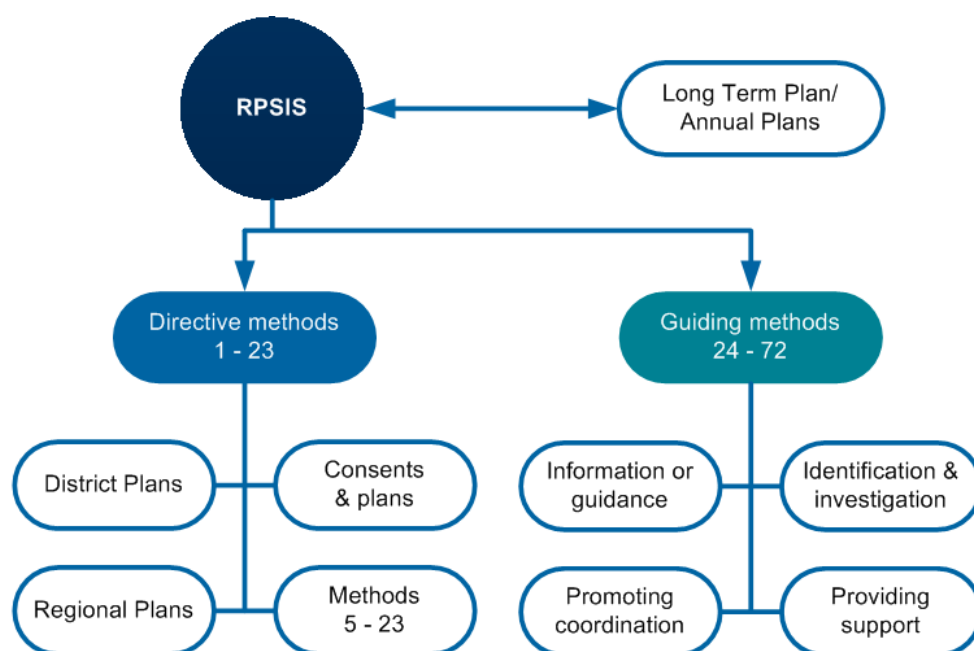
*To achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resource of the whole region.*

The RPS sets out a long term, integrated, strategic policy framework to assist with achieving the sustainable management of the region's natural and physical resources over its 10 – 15 year lifetime.

To be effective, the RPS policy framework relies upon a consistent implementation process. That process is outlined in this RPS Implementation Strategy (RPSIS) which approved at the Regional Direction and Delivery Committee meeting on 17 November 2015. At that meeting the priority order in which detailed work streams are prepared for each RPS Part two chapter was approved as follows:

Priority Order	Resource Topic
1	Water quality and land use
2	Water quantity
3	Coastal environment
4	Iwi resource management
5	Urban and rural growth management
6	Geothermal resources
7	Matters of national importance
8	Air quality
9	Energy and infrastructure

The primary focus of the RPSIS is ensuring all policies and methods are implemented. Resourcing is required by local authorities to develop plan changes and other projects required to implement the RPS. A range of methods will be used to implement the RPS. Methods include directive (statutory) and guiding (non-statutory) approaches shown on the following diagram.



The RPS Coastal Environment provisions are third on the priority list of RPS resource management work streams. The Coastal Environment chapter identifies three significant resource management issues being:

1. Significant adverse effects on the natural character and ecological functioning of the coastal environment
2. Effects of land use on Tauranga Harbour and Ōhiwa Harbour
3. Managing the allocation of space for a range of competing uses within the coastal marine area.

The RPS then sets out Coastal Environment Objectives 2, 3 and 4 and corresponding policies and methods for managing use and development within the region's coastal environment. The Coastal Environment chapter includes fifteen policies and twenty three methods of implementation that collectively seek to achieve the chapter's three objectives.

Regional Council is responsible for implementing most of the Coastal Environment policies and methods. All the policies are required to be '*given effect to*' through regional or district plans or '*had regard to*' in resource consents processes.

### 3 Coastal Environment Policies

The Coastal Environment chapter contains five policies (i.e. CE 1B, CE 2B, CE 3A, CE 4A and CE 5A) that give direction to regional and/or district plans while the remaining 10 policies are specific directive policies for resource consents or when changing, varying or reviewing a regional or district plan.

The Proposed Regional Coastal Environment Plan (PRCEP) gives effect to most RPS Coastal Environment policies and methods. Otherwise these policies are had regard to when processing relevant regional and district consents.

BOPRC has a referral protocol with each of the region's TAs including the Department of Internal Affairs (DIA) (for the four outer islands) whereby the TAs refer resource




consent applications to BOPRC for comment. This enables BOPRC staff to provide responses to the relevant TAs and consent applicants advising them (among other things) of any RPS, PRCEP or bylaw requirements. Often BOPRCs responses trigger implementation and consideration of specific RPS coastal environment and/or PRCEP provisions.












Regional council and the region’s city and district councils also undertake a range of projects and operations both individually or collectively which implement a number of RPS non-regulatory methods.
























## 4 Implementation



The table below summarises the considerable progress made in implementing the RPS Coastal Environment provisions to date.

A traffic light system is used to identify progress implementing the Coastal Environment policies and methods.

Symbol	Description
	Implementation well on track
	Implementation underway but issues/problems will impede progress
	Not implemented/started.

RPS Coastal Environment Policies	Implementation progress
Policy CE 1B: Extent of the coastal environment	
Policy CE 2B: Managing adverse effects on natural character within the coastal environment	
Policy CE 3A: Identifying the key constraints to use and development of the coastal marine area	
Policy CE 4A: Protecting and restoring natural coastal margins	
Policy CE 5A: Provide for sustainable use and development of the coastal marine area	
Policy CE 6B: Protecting indigenous biodiversity	
Policy CE 7B: Providing for the management of mangroves	
Policy CE 8B: Ensuring subdivision use and development is appropriate to the natural character of the coastal environment	
Policy CE 9B: Safeguarding the life-supporting capacity of coastal ecosystems	
Policy CE 10B: Managing adverse effects of land-based activities in the coastal environment on marine water quality	
Policy CE 11B: Allocating public space within the coastal marine area	

Policy CE 12B: Avoiding inappropriate hazard mitigation in the coastal environment	
Policy CE 13B: Enabling sustainable aquaculture	
Policy CE 14B: Providing for ports	
Policy CE 15B: Recognising secondary ports	
<b>RPS Coastal Environment Methods of Implementation</b>	<b>Implementation progress</b>
Method 1: District plan implementation	
Method 2: Regional Plans	
Method 3: Resource consents and plan changes	
Method 8: Identify areas or sites in the coastal environment of significance or special value to Maori	
Method 26: Facilitate and support community based ecological restoration programmes	
Method 33: Take a collaborative approach to the management of the coastal environment	
Method 35: Integrated Catchment Management Plans	
Method 37: Investigate the use of large scale wetlands	
Method 49: Improve biodiversity values of open spaces	
Method 53: Research and monitor the effects of discharges	
Method 55: Identify and advocate for ecological corridors and buffer	
Method 56: Identify areas for restoration or rehabilitation of natural character	
Method 59: Protect, restore and enhance natural coastal margins	
Method 60: Enhance the natural character of the coastal environment where compromised	
Method 61: Assess and classify areas of Indigenous biodiversity	
Method 62: Identify coastal waters having an adverse effect	
Method 63: Provide and support environmental education programmes	
Method 65: Advocate to establish reserves	
Method 68: Investigate mechanisms to reduce litter in and adjacent to the coastal marine area	
Method 69: Mitigate environmental impacts from the use of public space within the coastal marine area	

Method 71: Identify coastal vehicle access requirements and restrictions	
Method 72: Support industry led environmental accords, guidelines and codes of practice	

## 5 Proposed Regional Coastal Environment Plan

The Proposed Regional Coastal Environment Plan (PRCEP) is the primary mechanism for implementing the RPS Coastal Environment policies and methods. The PRCEP was publicly notified on 24 June 2014 with a total of 143 submissions received. Council's decisions were notified on 20 August 2015 with 16 appeals received. Four appeals by Royal Forest and Bird Protection Society, Motiti Rohe Moana Trust, Ngati Ranginui and Ngati Makino Heritage Trust remain outstanding on the natural heritage, iwi resource management and marine spatial planning topics. A High Court appeal on the natural heritage topic has been received, and has been referred back to the Environment Court for consideration.

Now most appeal points relating to the rules have been resolved, Regional Council decided all PRCEP rules have legal effect. Council's decision was publicly notified on 11 April 2017 and does not affect any unresolved appeals. This means all rules beyond appeal are treated as operative and used to determine whether resource consents for use and development in the coastal marine area are required.

The PRCEP manages the natural and physical resources of the Bay of Plenty coastal environment. It was developed following review of the existing operative Bay of Plenty Regional Coastal Environment Plan. That review found that although the Operative Plan had performed well, there were several key issues that needed to be resolved.

The PRCEP contains policies to guide decision making on resource consent applications to undertake use and development in the coastal marine area. The PRCEP also contains policies that apply to the land-based component of our coastal environment. These provisions guide subdivision, use and development in district plans. District Plans must be consistent with the PRCEP policies applying to the coastal environment.

As mentioned in section 3 above, BOPRC has a referral protocol with each of the region's territorial authorities and the Department of Internal Affairs whereby they refer resource consent applications to BOPRC for comment. This enables BOPRC staff to provide responses to the relevant TAs and consent applicants advising them (among other things) of any RPS, PRCEP or bylaw requirements that apply in the land-based component of the coastal environment.

The PRCEP gives effect to the RPS and the New Zealand Coastal Policy Statement 2010 and incorporates the work previously undertaken to develop Aquaculture Management Areas (AMAs).

## 6 Coastal Environment Policies and Methods

The Coastal Environment chapter contains five policies (i.e. CE 1B, CE 2B, CE 3A, CE 4A and CE 5A) giving direction to regional and/or district plans. The remaining thirteen policies are specific directive policies for resource consents or when changing, varying or reviewing a regional or district plan. The Table in section 4 above provides a

snapshot of progress being made towards their implementation. Appendix 1 includes a more detailed analysis of progress being made implementing each policy.

There are twenty two methods of implementation linked to the Coastal Environment policies namely methods 1, 2, 3, 8, 26, 33, 35, 37, 49, 53, 55, 56, 59, 60, 61, 62, 63, 65, 68, 69, 71 and 72. The Table in section 4 above provides a snapshot of progress being made towards their implementation. Appendix 2 includes a more detailed analysis of progress being made implementing each method.

The PRCEP gives effect to all the RPS Coastal Environment policies and most methods of implementation. The PRCEP planning map overlays recognise and provide for various matters of national importance including:

- areas of significant cultural value
- historic heritage
- indigenous biological diversity; and
- outstanding natural features and landscapes.

The planning maps also identify Harbour development zone areas and the Tauranga Harbour Port zone.

The PRCEP Planning Map overlays work in tandem with the policies, methods and rule framework to give effect to the RPS Coastal Environment policies and methods applying to protecting natural character (Policy CE 2B) and indigenous biodiversity (Policy CE 6B), managing mangroves (Policy CE 7B), identifying the coastal environment (Policy CE 1B) and providing for ports (Policy CE 14B).

Some district plans also include provisions which give effect to the RPS Coastal Environment Policies including:

- recognising ports and secondary ports (Policies 14B and 15B) – Tauranga City Plan, Ōpōtiki and Whakatāne district plans;
- providing for natural character (Policy CE 8B) – Ōpōtiki, Whakatāne and Western Bay of Plenty district plans;
- identifying the coastal environment (Policy CE 1B) – Ōpōtiki and Whakatāne district plans; and
- protecting indigenous biodiversity in the coastal environment (Policy CE 6B) – Western Bay of Plenty, Whakatāne and Ōpōtiki district plans.

Most RPS Coastal Environment policies are had regard to in regional and district consents processes. Subdivision and land use applications being processed by the region's city and district councils these are considered and responded to by BOPRC through the District Applications Consents process. BOPRC has protocols with the region's territorial authorities to ensure they send copies of subdivision and land use applications in the coastal environment. A similar protocol has recently been established with the Department of Internal Affairs for the region's four main offshore islands.

BOPRCs land and coastal management operational works and Te Awanui Tauranga Harbour and Ōhiwa Harbour programmes are making significant contributions towards implementing many of the RPS Coastal Environment policies and methods. There are numerous examples of projects with community groups, landowners, schools and trusts that are cumulatively making a positive impact on the coastal environment. Add to this the ongoing support for local environmental enhancement fund projects, many are situated within the coastal environment.

Considerable effort has also gone into compliance and regulation to ensure consent conditions are complied with. And the monitoring programme is continually being maintained and refined to better understand the state of the environment and impacts of activities. BOPRC is also involved in a number of environmental education programmes across the region.

There are some gaps identified. Resource consents implementation or more so consistent implementation is considered an issue. There are examples of consent decisions made that are considered contrary to specific RPS coastal environment policies. For example subdivisions in the coastal environment where public access is not maintained or enhanced or insufficient protection is provided to indigenous biological diversity or natural character values.

The PRCEP identifies some areas of cultural value and more recent work has been completed to review iwi and hapū resource management plans. However further work is required to implement Method 8. This is considered a project in its own right and should be combined with any marine spatial planning project if Council decides to proceed following the Environment Court's decision.

Method 55 requiring the identification of ecological buffers is a project in its own right. There is no evidence of any research into ecological corridors and buffers in the CMA. A project scoping and evaluation exercise would be necessary to better understand the costs, benefits, timing and risks and of undertaken such a project before Council considers whether to proceed with such an undertaking.

Method 62 hasn't been implemented to the extent envisaged by Policy 21 of the NZCPS which requires a comprehensive region wide assessment. This is now being incorporated (to some extent) in the Water Management Areas programme work and will be rolled out as each WMA programme is implementation.

## **7 Objectives**

The RPS includes 3 Coastal Environment objectives. Coastal Environment Objective 2 states:

*Preservation, restoration and, where appropriate, enhancement of the natural character and ecological functioning of the coastal environment*

Coastal Environment Objective 3 states:

*Equitable and sustainable allocation of public space within the coastal marine area*

Coastal Environment Objective 4 states:

*Enable subdivision, use and development of the coastal environment in appropriate locations*



From the preceding analysis, it is reasonable to consider that given the extent of implementation through the PRCEP, consents, compliance, regulation and operations good progress is being made toward achieving Objectives 2 and 4.

The PRCEP provides the basis for managing the allocation of public space for ports and harbour development zones. There are no other zones and allocation of public space is through resource consent processes. Once the Environment Court's decision on the marine spatial planning appeal is released Council will need to determine whether it wishes to proceed with a spatial planning exercise. A spatial planning exercise may assist with the allocation of space in the coastal marine area.

## **8 Conclusion**

The RPS Coastal Environment provisions are well on track to be implemented, particularly by the PRCEP which the RPS policies are linked to through Methods 1 and 3. The PRCEP already implements most RPS Coastal Environment Policies.

The RPS Coastal Environment provisions are considered in both BOPRC consents processes and the territorial authorities consent processes via the district applications consents referral process.

There are some implementation gaps and issues at the method of implementation level. Many of these methods link to a variety of policies in other resource topics (e.g. water quality and land use) and not just the Coastal Environment.

A marine spatial plan may help to address some of these gaps or shortfalls. Regardless, identifying sites of significance or special value to Māori (Method 8) for example is programmed to occur once further direction is confirmed from the outstanding appeal matters before the Courts in relation to the Proposed Regional Coastal Environment Plan.

Whilst BOPRC will seek a collaborative approach (Method 33) when managing the coastal environment it is unlikely that partner agencies and tangata whenua will always agree on the preferred approach.

## **9 Council's Accountability Framework**

### **9.1 Community Outcomes**

This project directly contributes to the Water Quality and Quantity, Environmental Protection, Resilience and safety and Economic Development Community Outcomes in the council's Long Term Plan 2015-2025.

### **9.2 Long Term Plan Alignment**

The cost of implementing the Regional Policy Statement is budgeted for in the Long Term Plan (2015-2025) in the Regional Planning activity. The 2017/18 budget for implementation of the RPS is \$42,091. Costs for analysing and reporting on the RPS Coastal Environment provisions are staff time only.

#### **Current Budget Implications**

Costs in setting up, analysing and reporting on the implementation of the RPS Coastal Environment provisions are staff time only. These costs are met within the wider Regional Policy Statement implementation budget for 2017/18.

### **Future Budget Implications**

The RPS Implementation Strategy costs are provided for under the Long Term Plan 2015-2025 within the RPS Monitoring and Implementation budget under the Regional Planning activity. Additional funding will be required if Council decides to proceed with a marine spatial plan.

Nassah Steed

**Programme Leader (Statutory Policy)**

**for Regional Integrated Planning Manager**

**26 March 2018**

# **APPENDIX 1**

## **Coastal Environment Policies Assessment**



# 1 Coastal Environment Policies

The Coastal Environment chapter contains three policies (i.e. CE 3A, CE 4A and CE 5A) giving direction to regional and/or district plans and the remaining thirteen policies are specific directive policies for resource consents or when changing, varying or reviewing a regional or district plan.

The PRCEP is giving effect to all the RPS Coastal Environment policies and methods. In addition the policies are had regard to in regional and district consents processes where relevant applications are received. For subdivision and land use applications being processed by the region's city and district councils these are considered and responded to by BOPRC through the District Applications Consents processes which BOPRC has protocols with the various TAs. Staff are in the process of setting up a similar protocol with the Department of Internal Affairs for the four outer islands. This is likely to be signed off by Local Government Minister Nanaia Mahuta early this year.

Following is an assessment of progress being made toward their implementation.

## 1.1 Policy CE 1B: Extent of the coastal environment

Policy CE 1B is implemented by the planning maps in both the RPS and the PRCEP. The recently operative Whakatane District Plan also identifies the coastal environment line within its district.

## 1.2 Policy CE 2B: Managing adverse effects on natural character within the coastal environment

Policy CE 2B is implemented by numerous PRCEP provisions which collectively address components (a) and (b) of the policy. These are intended to give effect to Policy 13 of the NZCPS. The Natural Heritage policies are most relevant. In particular Policy NH 4 addresses part (a) of Policy CE 2B. Further Policy NH 6A addresses part (b) and (c) of Policy CE 2B.

Policy NH 6A captures everywhere that's not outstanding. This gives effect to part (c) *'Recognise that open coastal water in the region is of at least high natural character.'*

Discretionary activity status resource consents are needed for most activities in the CMA. Natural character is assessed as part of the consent process.

## 1.3 Policy CE 3A: Identifying the key constraints to use and development of the coastal marine area

Policy CE 3A is implemented by a numerous PRCEP provisions which address the five policy components. The various overlays identified in the PRCEP planning maps supported by further information in the schedules identify specific constraints to the future use and development of the coastal marine area. The rule framework establishes requirements for identified future uses for example moorings, infrastructure, structures and occupation. Various rules establish a framework for accommodating regionally significant infrastructure in the CMA addressed under paragraph (e). Various policies provide consideration for the role, operation, maintenance, upgrading or development of regionally significant infrastructure (e.g. Policies NH 1, NH 2, CH 3, CH 7 and CH 14).

There is an outstanding Royal Forest and bird Protection Society appeal relating to the policy and rule framework that applies to upgrading and constructing regionally significant infrastructure in high value natural heritage areas.

#### **1.4 Policy CE 4A: Protecting and restoring natural coastal margins**

Policy CE 4A is implemented by various PRCEP provisions namely the Coastal Hazard Management Policies CH 4, CH 5, CH 6, CH 7 but also Policies NH 3A, WQ 3, RA 8, DD 5 and Methods 8 and 24. The provisions target subdivision and land use and new facilities on landward coastal margins to maximise public use and access and consider sea level impacts. Method 24 seeks to identify and implement actions to adapt to sea level rise effects including managed retreat from the coastal edge.

#### **1.5 Policy CE 5A: Provide for sustainable use and development of the coastal marine area**

Policy CE 5A is implemented by various PRCEP policies including 'Public open space' Policy RA 2. Harbour development zone and Port zone. Prioritise functionally dependent uses over others in consents. An Environment Court hearing on the spatial planning will be heard at the end of November. This concerns an appeal by Motiti Rohe Moana Trust seeking a spatial plan for the coastal marine area while Ngāti Makino are seeking Tangata whenua zones in the CMA.

There is a deliberate gap with respect to paragraph (c) in so far as it applies to renewable energy sources. Whilst the PRCEP does recognise the NPS for Renewable Energy Generation, work undertaken on potential for renewable generation in the CMA indicated there was little foreseeable potential in the region. Consequently there are no specific PRCEP policies or other provisions that enable the efficient use and development of renewable energy resources within the coastal environment.

#### **1.6 Policy CE 6B: Protecting indigenous biodiversity**

The PRCEP spatially identifies Indigenous Biological Diversity Areas A and B (refer: Schedule 2 & Planning Maps). There are a range of policies that seek to give effect to Policy CE 6B. Regional Council addresses indigenous biodiversity matters when making comment on relevant district consents applications for subdivision and landuse and plan change matters that potentially impact on the Indigenous Biological Diversity Areas A and B in the PRCEP. Methods which specifically implement Policy CE 6B are Methods 2, 61 and 71.

Although the primary means of implementation is Method 2 'Regional Plans', the Whakatāne District Plan and Western Bay of Plenty District Plan include consistent overlays of indigenous biodiversity areas to the PRCEP Indigenous Biological Diversity Area overlays in the coastal environment. Regional Council also made submissions on the Proposed Ōpōtiki District Plan seeking similar biological diversity overlays for areas in the coastal environment in its plan. Ōpōtiki District Council is instead opting for a blanket rule approach although the existing operative district plan made a commitment to consult affected landowners to include biodiversity overlays in the second generation district plan. Hearings on submissions were concluded on 24 August and the Hearing Committee completed its deliberations in November. Council's decisions will likely be notified in April 2018.

## **1.7 Policy CE 7B: Providing for the management of mangroves**

The management of mangroves is a controversial topic particularly in Tauranga Harbour. Methods which specifically implement Policy CE 7B are Methods 3, 26, 34 and 35. The primary means of implementation is through consents (on a case by case basis) and plan changes (Method 3) and Integrated Catchment Management Plans (Method 35).

Policy CE 7B is implemented by specific PRCEP mangrove management policies and rules which have been through an Environment Court appeals process. As with Policy CE 6B above the PRCEP spatially identifies Indigenous Biological Diversity Areas A and B (Schedule 2 & Planning Maps).

At an operational level the Tauranga Harbour Integrated Management Strategy has identified mangrove management as a significant issue. Regional Council works with landowners and Estuary Care Groups to manage mangrove spread. Regional Council recently commissioned a hovercraft mangrove seedling mover to help reduce mangrove spread. Regional Council provides Estuary Care groups with technical support and other resources to form a functional community group that links with other catchment groups. They address environmental issues like biodiversity management, riparian planting, animal and plant pest control, as well as mangrove removal.

## **1.8 Policy CE 8B: Ensuring subdivision, use and development is appropriate to the natural character of the coastal environment**

Policy CE 8B is implemented by numerous PRCEP provisions that provide for natural character including:

1. Policies AQ 6, AQ 1, AQ 1A, AQ 2, AQ 2A, AQ 3, BS 1, BS 4, HD 1, HD 2, NS 2,
2. Rule RM 1, RM 3, RM 5, BS 6, HD 6, HD 6A, PZ 5, DD 15, DD 16, DD 17, CD 10A, AQ 3, AQ 6,
3. Indigenous Biological Diversity Areas A and B (Schedule 2 & Planning Maps);  
and
4. Outstanding Natural Features and Landscapes (Schedule 3 & Planning Maps).

The Regional Council addresses these matters when making comment on relevant district consents applications for subdivision and land use and when making submissions on plan changes involving matters that potentially impact on the natural character of the coastal environment.

## **1.9 Policy CE 9B: Safeguarding the life-supporting capacity of coastal ecosystems and Policy CE 10B: Managing adverse effects of land-based activities in the coastal environment on marine water quality**

The PRCEP is giving effect to Policies CE 9B and CE 10B through the number of water quality and natural heritage provisions including:

1. Issues 3 – 7 and 8 – 13
2. Objectives 5 -11 and Objectives 2 - 4
3. Policies WQ 1 – WQ 6 and Policies NH 1 – NH 18

4. Indigenous Biological Diversity Areas A and B (Schedule 2 & Planning Maps);  
and
5. Outstanding Natural Features and Landscapes (Schedule 3 & Planning Maps).

The interface with land based activities in or effecting the coastal environment is primarily managed in the Water Management Areas programme. This project is well underway and includes looking at how to take into account the effects on coastal receiving environment when setting freshwater objectives and water quality limits.

At an operational level there is considerable effort and resourcing going into improving waterways health across the region. The 2016/17 Tauranga Moana Programme annual report noted a range of work across science, planning, and operational activities delivered throughout the year. It highlighted that 69 business owners are now making improvements to their storm water systems as a result of council recommendations following pollution prevention checks. A total of 149 private landowners now have agreements in place with Regional Council to improve the management of sediment, nutrient and bacteria run-off from their properties, and 32 environmental care groups are actively working on restoration projects around the harbour, with assistance from the councils.

A variety of actions have been delivered through joint council, iwi and community work under the Tauranga Moana Programme area. In the last year Regional Council has:

- provided support for hapū to improve land and water across nine restoration projects;
- undertaken storm water system checks on 350 industrial sites;
- supported the establishment of four new environmental care groups;
- negotiated 27 new environmental management plans with landowners.

The Regulatory Compliance Report 2015/2016 provides an overview of findings from compliance monitoring, complaints response, and enforcement activity undertaken from 1 July 2015 to 30 June 2016. Throughout this period, the Regulatory Compliance team undertook 2,284 compliance inspections on 1,421 individual resource consents. Seventy-nine percent of all inspections were assessed as complying with their resource consent. Of those that were assessed to be non-compliant, 68% were considered to be low risk, 17% moderate risk, and the remaining 15% as significantly non-compliant. The overall results show that the severity of non-compliances appears to have increased compared to the previous year, with over double the amount of significant non-compliance reported.

Eighty three abatement notices were issued. The majority of abatements (64%) related to discharges to air, with the remainder relating to land use, discharges to water, or disturbance of a lake or riverbed.

Two significant prosecutions were sentenced relating to incidents from the previous reporting year:

- Mobil Oil New Zealand Limited was fined a total of \$288,000 for the discharge of heavy fuel oil into Tauranga Harbour on 27 April 2015 (sentenced on 15 May 2016); and



- Fonterra Limited was fined a total of \$174,150 for four failures of Fonterra's wastewater (whey) irrigation system at Edgecumbe, and two overflows of wastewater to the stormwater system at Fonterra's Edgecumbe plant (sentenced 27 July 2015).

While the Mobil Oil NZ Ltd prosecution clearly qualifies under Policy CE 10B the Fonterra site is outside the coastal environment but is within tidal influence and clearly flows into the coastal marine area at Thornton.

Specific methods which give effect to these policies are Methods 6, 7, 8, 9 10, 11 and 12.

Again, Regional Council also provides input to relevant subdivision and land use consents through the District Consent Applications process.

### **1.11 Policy CE 11B: Allocating public space within the coastal marine area**

The PRCEP includes several policies on recreation, public access and open space affecting the coastal environment and coastal marine area. The most relevant is Policy RA 2 which addresses most elements in Policy CE 11B. There have been no relevant district consent applications since Council's decisions released. Most consents in recent years have been for minor structures.

### **1.12 Policy CE 12B: Avoiding inappropriate hazard mitigation in the coastal environment**

The PRCEP includes 16 Coastal Hazards policies and many rules that give effect to RPS Policy CE 12B. Regional Council addresses these matters when making comment on relevant district consents applications and submissions on plan change matters that potentially affect hazard mitigation in the coastal environment. Policy CE 12B normally applies to hard protection structures such as sea walls. Recently a consent application was lodged for breakwater structures off Matahui peninsula, Tauranga Harbour for erosion protection for an Avocado orchard.

### **1.13 Policy CE 13B: Enabling sustainable aquaculture**

The PRCEP has a number of specific aquaculture provisions that give effect to Policy CE 13B namely:

1. Issues 35 – 41
2. Objectives 33, 34, 37 and 46
3. Policies AQ 1 - AQ 12; and
4. Aquaculture Rules AQ 1 – AQ 6.

The Bay of Plenty Aquaculture Strategy developed in 2009 followed by the establishment of a Regional Aquaculture Organisation (RAO) in 2010. Regional Council is heavily involved in RAO, providing ongoing administrative support and implementing its action plan. The four focus areas for the strategy are:

1. Leadership through collaboration and communication with all stakeholders (including Government, Maori, Industry and other regions). Enabling and supportive advocate for aquaculture

2. New Opportunities in Aquaculture, including new species, new technology and the use of geothermal energy sources for land-based aquaculture
3. Marine Science, Technology, Education and Training
4. Infrastructure support for Marine and Aquaculture industries

BOPRC and MPI have completed scoping exercises for aquaculture in eastern the Bay of Plenty.

BOPRC is also heavily involved in Ōpōtiki Harbour Transformation project. Whakatōhea iwi have lodged two applications for additional aquaculture space (for 4,000 ha and 950 ha areas respectively). Consent for the smaller of these areas was previously granted by BOPRC but turned down by MPI (formerly Ministry of Fisheries).

#### **1.14 Policy CE 14B: Providing for ports and Policy CE 15B: Recognising secondary ports**

Policies CE 14B and CE 15B are implemented by the PRCEP, Proposed Ōpōtiki District Plan, Tauranga City Plan and Whakatāne District Plan.

The Port of Tauranga has a Port Zone in both the PRCEP and the Tauranga City Plan. The PRCEP<sup>1</sup> includes objectives that provide for the current operational needs of the Port of Tauranga as a matter of priority while avoiding, remedying or mitigating the effects of those activities on cultural values and the environment. Objective 49 provides for the future expansion and operational needs of the Port of Tauranga and its shipping channels.

Objectives 41 – 47 recognise the Whakatāne and Ōpōtiki harbours as Harbour Development Zones.

Objective 46 recognises the importance of developing aquaculture servicing facilities and associated marine industry within the Harbour Development Zone at Ōpōtiki and Whakatāne.

There have been several enquiries regarding upgrades to the existing wharves in Whakatāne and Ōpōtiki Harbour Development Zones but no relevant consents have been applied for since Council's PRCEP decisions were released (October 2015). This may be because the plan allows for maintenance, reconstruction and minor alteration of existing structures in the Harbour Development Zone without the need for a resource consent.

The Proposed Ōpōtiki District Plan includes a Marine Service Zone and Harbour Industrial zone. The Marine Services zone is situated at the interface between the town and Waioeka and Otara Rivers. The area is currently recreation reserve and will require a structure plan, flood protection works and considerable earthworks to transform the area into part of the coastal marine area.

The Harbour Industrial zone is intended to accommodate a wide range of activities to support aquaculture, marine and fishing industries. The zone is situated on adjacent Waioeka River and Huntress Creek to the north west of Ōpōtiki township.

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<sup>1</sup> Objective 48 and 49.

The Operative Whakatāne District Plan includes the following Policy 9 in the Strategic Chapter 2. Policy 9:

*To recognise the potential social and economic benefits of a marina development in the Whakatāne River, including opportunities for residential housing development, business opportunities and enhanced recreational use and enjoyment of the coastal environment.*



## **APPENDIX 2**

# **Coastal Environment Methods of Implementation Assessment**



## **2 Coastal Environment Methods of Implementation**

### **2.1 Method 1 District plan implementation**

Method 1 requires district plans give effect to Policies CE 1B, CE 2B and CE 4A. If a district plan does not currently give effect to these policies, then the district council shall notify a variation or change as soon as reasonably practicable, but within two years from the date on which the Bay of Plenty Regional Policy Statement is made operative, to give effect to them as required by the Resource Management Act 1991.

District plan changes that have occurred since the Coastal Environment line was identified in Appendix I have given effect to Policy CE 1B. Regional Council was consulted and submitted on the Whakatāne District Plan review and WBOP District Plan Changes 76 '*Floodable Areas & Coastal Inundation Areas*' and 74 '*Coastal Erosion & Inundation Areas - Waihi Beach & Pukehina*'. Regional Council was satisfied that both district plans had provisions that dealt appropriately with activities in the coastal environment.

The region's district and city plans include provisions to manage adverse effects on natural character to give effect to Policy CE 2B. As outlined earlier, the PRCEP includes numerous provisions which collectively address the three parts of the policy.

With respect to Policy CE 4A Regional Council has recently made submissions on the Ōpōtiki and Whakatāne District Plan reviews and changes to the Tauranga City and Western Bay of Plenty District Plans seeking alignment with this policy. In the most part Regional Council was supportive of the relevant zones affecting coastal margins and related provisions aimed at protecting and restoring the natural protective capacities of the coastal margin.

### **2.2 Methods 2 (Regional Plans) and 3 (Resource consents and plan changes)**

The PRCEP contains five policies to be given effect to by the PRCEP being Policies CE 1B, CE 2B, CE 3A, CE 4A and CE 5A. Method 3 is linked to all the Coastal Environment policies except Policy CE 3B. Method 3 requires the linked Coastal Environment policies to be given effect to when preparing, changing, varying or reviewing a regional plan or a district plan, and had regard to when considering a resource consent or notice of requirement.

The PRCEP includes provisions that give effect to all the RPS Coastal Environment policies. The policies are considered on a case by case basis when processing resource consent applications either through the district application consents process or in Regional Council's resource consents processes. However, while consideration of these provisions is generally good with respect to subdivision and land use applications at the district level, in some instances local authority decisions are inconsistent.

There are many examples of BOPRC requesting District Applications Consents be put on hold (i.e. s92 further information requests) and the applicant's agents are asked to undertake a proper assessment of, and propose mitigation measures, to address matters raised in the Coastal Environment policies. These can range from needing to provide an appropriate assessment of effects on natural character, outstanding natural features and landscapes, public access and ecological impacts). In some cases, the territorial authorities have chosen to proceed with processing the applications and addressing the concerns via conditions of consent.

### **2.3 Method 8 Identify areas or sites in the coastal environment of significance or special value to Māori**

Method 8 is linked to Policy CE 3A *'Identifying the key constraints to use and development of the coastal marine area'*. It requires the identification of areas or sites in the coastal environment of significance or special value to Māori. This is required to be undertaken in consultation with tangata whenua.

Areas of Significant Cultural Value in the coastal marine areas are identified in the PRCEP, as are Outstanding Natural Features and Landscapes (which include some cultural landscapes). However, not all areas or sites of significance to Māori are currently mapped and described. Additional work reviewing iwi and hapū resource management plans lodged with BOPRC has been completed by a summer student. Further work is also required.

Full implementation of Method 8 is identified as a project in its own right and is intended to be undertaken in conjunction with a marine spatial planning project which is currently on hold pending the outcome of the related appeal topic heard by the Environment Court in December 2017. Council will need to consider whether to proceed with a marine spatial planning project following the Court's decision.

Its worth noting the Tauranga and Ōhiwa Harbour catchment teams work specifically with hapū and iwi to support them in restoring and protecting their sites of significance or special value, particularly where identified through their hapū management plans. For example the Motuopae Island restoration in Tauranga Harbour was programmed because it was identified in Ngāi Tamarawaho Hapur Management Plan.

### **2.4 Method 26 Facilitate and support community based ecological restoration programmes**

Method 26 is linked to Policies CE 2B, CE 4A and CE 7B. Method 26 promotes providing practical support and active community participation for community restoration initiatives focused on the protection, restoration or rehabilitation of natural features and ecosystems. Both BOPRC and the region's city and district councils are involved in a range of projects and programmes that implement Method 26 within the coastal environment.

The Tauranga Moana Programme and Ōhiwa Harbour Programme coordinate and integrate work of the councils in these harbour catchment areas. Both programmes involve a range of projects involving community groups and ongoing operations focused on protecting, restoring and rehabilitating natural features and ecosystems and improving the health of land and water in the catchments.

Specific examples in the Tauranga Harbour catchment include restoration projects on Motuopae Island, the Waitao wetland, the Waiau River, the Te Puna wetland and a water quality monitoring project at Te Rereatukahia River. Staff are supporting hapu with nine restoration plans on Matakana and Rangiwāea Islands. There are 11 Estuary Care groups in Tauranga harbour and in 2015/16 54 sites were actively managed to protect and restore biodiversity.

In the Ōhiwa Harbour catchment the Ōhiwa Harbour Strategy contains an action plan which includes actions supporting ecological restoration by landowners and community groups.



Currently there are 10 community groups involved variously in pest control, revegetation and other restoration work. Between them they cover a significant proportion of the harbour margin and this is steadily increasing. Their work is supported by the Strategy Partners and funded largely by BOPRC.

Landowners have now fenced most of the tributaries of the harbour with many riparian margins also planted.

The Kaituna River Re-diversion and Te Awa o Ngatoroirangi / Maketū Estuary Enhancement Project is a current example that Councillors will be well aware of.

## **2.5 Method 33 Take a collaborative approach to the management of the coastal environment**

Method 33 is linked to Policy CE 5A and applies to a range of BOPRC functions and responsibilities affecting the coastal environment. BOPRC works in collaboration with a range of community groups, Department of Conservation, iwi and the region's territorial authorities on projects and programmes affecting the coastal environment. As above, the Ōhiwa Harbour Strategy is a good example of BOPRC working collaboratively with several partner agencies and conflicts are rare. Whilst in many respects a collaborative approach is taken consistent with the intent of Method 33 occasionally conflicts arise and more adversarial approaches are required. The most obvious example is appeal processes relating to consents and plans where BOPRC's position can be in conflict with that of the tangata whenua. For example the ongoing appeals by Ngāti Ranginui and Motiti Rohe Moana Trust in relation to the PRCEP.

## **2.6 Method 35 Integrated Catchment Management Plans**

Method 35 is linked to Policies CE 4A and CE 10B. Regional Council has prepared and continues to implement integrated non-statutory management plans and programmes for Tauranga and Ōhiwa Harbour catchments. These are supported by annual reports for the Te Awanui Harbour Programme which provide a breakdown of related works undertaken in each catchments including the number of pollution audits, ha of erosion prone land converted to more sustainable land uses, kms of river and stream margins stock proof fenced, number of biodiversity sites under active management etc. For example as part of the 2015/16 Annual Work Plan for the Tauranga Harbour the following key operational achievements were reported:

- New sediment monitoring sites set up and large-scale mitigation put in place in high risk areas across the catchments.
- Harbour margin restoration work undertaken with the three councils, with a total of seven new plans in place for the 2015/16 year.
- Sand replenishment completed at Pilot Bay with 150 m<sup>3</sup> (cubic metres) of dredged sand being placed.
- Successful tests and trials of the mangrove hovercraft at Athenree and Waikareao estuaries, and preparation of the Safe Operational Plan for Maritime New Zealand requirements.
- Fifty thousand native plants planted in coastal dunes around the Tauranga and Waihi Beach areas by Coast Care.
- Nine operations cleaned up 496 tonnes of sea lettuce that accumulated in inner harbour beaches.
- Ten litter clean up events organised with local schools, which removed nearly 4 tonnes of rubbish from the harbour environment.

- Eight hundred and eighty compliance inspections of consented sites undertaken in the Tauranga Harbour catchments, and two industrial audits undertaken in the Central Business District, and the Fraser Cove and Maleme Street area.
- Progress on Ongare Point and Te Puna West reticulation schemes underway, with design options discussed with the community.
- Seawall renewal and upgrade work completed in a number of priority areas across the city and district.

## 2.7 Method 37 Investigate the use of large scale wetlands

Method 37 is linked to Policies CE 4A, CE 9B and CE 10B. Method 37 is to investigate the establishment of large scale wetlands/settling ponds in the downstream areas of the contributory streams feeding into the regions harbours. Implementation responsibility sits with Regional council, city and district councils.

Method 37 is implemented and reported on as part of the Ōhiwa and Te Awanui Harbour Annual Reports. In 2015/16 five new detainment bunds and 4 wetlands were constructed to stop sediment run-off into Tauranga harbour.

At the Ōhiwa Harbour Implementation Forum meeting on 12 September 2017 one of the key achievements of the Ōhiwa Harbour Catchment Annual Work Programme Results for 2016/17 report was for Action 1.2 being 2.65km of riparian fencing have been completed in the Nukuhou catchment. A further 1.2km of riparian and wetland fencing has been completed elsewhere in the Ōhiwa catchment. Further fencing is currently in progress. 250 poplar poles and 1000 shrub willow poles were planted to assist with erosion control in the Nukuhou catchment. Also under Action 1.7 Owners of a block by the S-bends on Wainui Rd are re-creating a meandering stream and wetlands and planting 5500 natives in a previously bare 2.5ha paddock with a channelized stream. Inanga have already been seen in the new wetland areas.

A key project contributing towards implementing Method 37 is the Kaituna River Re-diversion and Te Awa o Ngatoroirangi / Maketū Estuary Enhancement Project. Work to date has included purchasing 45 hectares of land between the river and estuary; obtaining the necessary resource consents and designations; negotiating side agreements with affected stakeholders; and working with tangata whenua. The project involves re-diverting Kaituna River into Ongatoro/Maketu Estuary to significantly increase the volume of flowing water to maximise the ecological and cultural benefits. Early construction works have begun, including removal of two causeways impounding 13 hectares of estuary, import of 7,000m<sup>3</sup> of sand to replace a stopbank with a more natural estuarine chenier, re-connection of four hectares of saltmarsh to the estuary, and the planting of 20,000 native wetland and sand dune plants on Papahikahawai.

The re-diversion project is significantly changing the existing landscape by re-creating over 20 hectares of sub-regional wetland habitat, by partially restoring the estuarine margins, Maketu estuary and coastal landscape to what it looked like before 1956. In 2016 the re-diversion project commenced with wetland restoration of Whakpoukorero and the planting of Papahikahawai Island by the Maketu community. In June 2017 the causeways constructed in 1963 around Papahikahawai Island which were blocking up the lagoon were removed. These prevented tidal flows from getting in and out of Papahikahawai lagoon making it stagnant and unhealthy, covered in thick weed mats with very low oxygen levels and redundant of fish, shellfish, birdlife and other wildlife. The tide is now flushing the weed and mud out of the lagoon and within weeks the lagoon's health has improved markedly.

## 2.8 Method 49 Improve biodiversity values of open spaces

Method 49 is linked to Policies CE 4A and CE 9B and is implemented through BOPRCs:

1. submissions on relevant district plan changes
2. submissions on local authorities reserve management plans
3. environmental programmes with relevant landowners
4. resourcing and operational advice and assistance to estuary and coastal care community groups; and
5. comments on relevant subdivision and land use consents lodged with the region's local authorities
6. internal technical reviews of relevant regional consents (e.g. earthworks and wetland consents).

The efforts of community care groups (both coastal and estuary) throughout the region makes a significant contribution to improving biodiversity values of reserves, parks and open spaces across the region.

Two recent examples of large related projects BOPRC have resourced which biodiversity is a major component is Te Onekawa te Mawhai regional park and the Kaituna River Re-diversion and Te Awa o Ngatoroirangi / Maketū Estuary Enhancement Project.

Te Onekawa te Mawhai regional park is in the coastal environment and much of its management is centred on protecting and enhancing its biodiversity values and open space.

Te Awa o Ngatoroirangi, or Maketū Estuary, is significant as the landing place of Te Arawa waka, and as the food bowl of its people. The estuary has been significantly degraded by wetland drainage, stop-banking around its margins, land use intensification, and the 1956 diversion of the Kaituna River to bypass the estuary. These works were undertaken by the Crown and the Kaituna River Board.

Without the Kaituna River's 2,900,000m<sup>3</sup> of fresh water per tidal cycle the estuarine tidal prism has halved since 1956, and the increased salinity has contributed to the loss of 95% of the estuary's wetland area. Sea grass had all but disappeared. The middle and upper estuary were eutrophic with large areas of macro-algal accumulation and consequent anoxia. These things combined reduced the estuary's ecological and cultural value.

Since 1979, the people of Maketū have called for the return of the Kaituna River, including a 2,600 signature petition delivered to Parliament in 1984 by the late Sir Petera Tapsell MP. In 1996 the Department of Conservation restored 4% of the river's flow to the estuary, but this was not enough to reverse its decline. A joint Council and community catchment strategy published in 2009 identified the return of more of the Kaituna River to the estuary, and the creation of new wetlands, as key priorities.

BOPRC has since committed to implementing the Kaituna River Re-diversion and Te Awa o Ngatoroirangi / Maketū Estuary Enhancement Project. Work to date has

included purchasing 45 hectares of land between the river and estuary; obtaining the necessary resource consents and designations; negotiating side agreements with affected stakeholders; and working with tangata whenua.

Early construction works have begun, including the removal of two causeways impounding 13 hectares of estuary, import of 7,000m<sup>3</sup> of sand to replace a stop bank with a more natural estuarine chenier, re-connection of four hectares of saltmarsh to the estuary, and the planting of 20,000 native wetland and sand dune plants on Papahikahawai.

The re-diversion project is significantly changing the existing landscape by re-creating over 20 hectares of sub-regional wetland habitat, by partially restoring the estuarine margins, Maketu estuary and coastal landscape to what it looked like before 1956. In 2016 the re-diversion project commenced with wetland restoration of Whakpoukorero and the planting of Papahikahawai Island by the Maketu community. In June 2017 the causeways constructed in 1963 around Papahikahawai Island which were blocking up the lagoon were removed. These prevented tidal flows from getting in and out of Papahikahawai lagoon making it stagnant and unhealthy, covered in thick weed mats with very low oxygen levels and redundant of fish, shellfish, birdlife and other wildlife. The tide is now flushing the weed and mud out of the lagoon and within weeks the lagoon's health has improved markedly.

## **2.9 Method 53 Research and monitor the effects of discharges**

Method 53 is linked to Policy CE 9B.

BOPRCs regulatory compliance staff in collaboration with science staff is responsible for monitoring activities in the coastal environment they are in compliance with resource consent conditions, relevant NES and regional plan standards. The discharge rules in the Natural Resources Plan for air and water quality apply across the region and not limited to the coastal environment. Air discharges from the Port of Tauranga and research and monitoring into these is an ongoing issue for BOPRC.

## **2.10 Method 55 Identify priority ecological corridors and buffers and Method 56 Identify areas for restoration or rehabilitation of natural character**

Method 55 is linked to Policies CE 2B, CE 4A and CE 9B. Method 56 is linked to Policies CE 2B and CE 4A.

BOPRC have recently identified a new set of priority sites for proactive (non –statutory) biodiversity management across the region. These sites were developed jointly with Department of Conservation to represent the full range of the Bay of Plenty's indigenous ecosystem types (terrestrial) and key populations of threatened species. The process for identifying Priority Biodiversity Areas utilised spatial prioritisation software 'Zonation'. These new Priority Biodiversity Sites identify much more coastal ecosystems (including estuarine saltmarshes, coastal forest and sand dune) compared with the previous set of sites used for prioritising Regional Council's biodiversity work (High Value Ecological Sites). These Priority Biodiversity Sites are eligible for grant funding through Environmental Programmes.

Traditionally Method 55 implementation is land based with no evidence of any research into ecological corridors and buffers in the CMA. Considerable effort has gone into identifying and establishing ecological buffers in the coastal environment through BOPRCs submissions on district plans and comments on district consents.

Operational efforts on ecological corridors have been mostly focused further inland from the coast.

BOPRC, WBOPDC and landowners are currently working on a project to restore the Wainui estuary harbour margins in junction of two identified ecological corridors stretching from the Kaimai Range to the Tauranga Harbour and south along the estuary margin. Wainui estuary has significant environmental value and is home to a number of rare and endangered bird species including the Australasian bittern, banded rail and the New Zealand fern bird.

Implementation of Method 55 in so far as it relates to the CMA involves a project in its own right. A project scoping and evaluation exercise would be necessary to better understand the costs, benefits, timing and risks and of undertaken such a project before Council considers whether to proceed with such an undertaking.

## **2.11 Method 59 Protect, restore and enhance natural coastal margins; and Method 60 Enhance the natural character of the coastal environment, where compromised**

Method 59 is linked to Policies CE 4A and CE 9B and is also closely linked to Methods 56 and 60. Method 60 is linked to Policies CE 2B, CE 4A and CE 9B. Like Method 49, Methods 59 and 60 are closely linked and implemented through BOPRCs:

1. submissions on relevant district plan changes
2. submissions on local authorities reserve management plans
3. environmental programmes and harbour management plans with relevant landowners
4. resourcing and operational advice and assistance to estuary and coastal care community groups;
5. comments on relevant subdivision and land use consents lodged with the region's local authorities; and
6. internal technical reviews of relevant regional consents (e.g. earthworks and wetland consents).

Operationally the protection, restoration and enhancement of natural coastal margins is a key focus of the Eastern Catchments/Tauranga Harbour/Kaituna catchment teams operational works. Staff work in collaboration with relevant land owners who are willing to protect, restore and enhance natural coastal margins on their lands. Council's Coast-care and Estuary care programmes also contribute to implementing Method 59. Funding from Tauranga Moana programme contributes to coastal margin restoration work. BOPRC comment on district application consents promoting opportunities arising from land use and subdivision where works can be undertaken to protect, restore or enhance natural coastal margins. Any works involving the protection, restoration and enhancement of natural coastal margins will enhance the natural character of the coastal environment.

## **2.12 Method 61 Assess and classify areas of indigenous biodiversity**

Method 61 is implemented by the PRCEP Indigenous Biological Diversity Areas A and B (Schedule 2 & Planning Maps) and supporting policies and rules.

### **2.13 Method 62 Identify coastal waters having an adverse effect**

Method 62 is linked to Policy CE 9B. Method 62 was intended to give effect to NZCPS Policy 21 but hasn't been implemented to the extent envisaged by the NZCPS (i.e. in a comprehensive region wide assessment). This is now being incorporated (to some extent) in the Water Management Areas programme work.

BOPRC established a coastal monitoring programme in 1990 as a part of a Natural Environment Regional Monitoring Network (NERMN) programme. The coastal monitoring programme continually monitors coastal water quality to identify areas of coastal water that have deteriorated to a degree that they are having a significant adverse effect on ecosystems, natural habitats or water based recreational activities, or are restricting uses such as aquaculture, shellfish gathering and cultural activities.

Such information allows managers to assess the present and potential impacts of consent related activities and provides baseline environmental data.

A total of 53 sites are profiled on an annual basis within the current coastal monitoring programme. Some selected sites are monitored quarterly; others are monitored as necessary, such as after storm events or where a beach is considered to be of significant concern to the public due to impacts on private property.

All beaches between Waihi Beach in the west to Hikuwai Beach in the east are covered by the monitoring programme. This monitoring covers 135 kilometres of the open coastline.

As part of the process to implement the National Policy Statement for Freshwater Management in Rangitaiki and Kaituna-Pongakawa-Waitahanui Water Management Areas, Waihi and Maketū estuaries have been identified as receiving environments that are sensitive to freshwater and contaminant inputs from their catchments. Data showing adverse effects on the values of these estuaries (as expressed in Coastal Plan overlays, objectives and policies) has been summarised. Work is now underway to estimate the freshwater / catchment contaminant contributions to those estuaries and to estimate what reduction in those contaminants may be needed, so that appropriate freshwater objectives can be set that serve coastal objectives/policies in the Coastal Plan.

### **2.14 Method 63 Provide and support environmental education programmes**

Method 63 is linked to Policies CE 4A and CE 10B. BOPRC and the region's local authorities are actively undertaking and supporting education programmes to promote public and landowner understanding of the importance of protecting and maintaining historic heritage and outstanding natural features and landscapes. BOPRC have undertaken this in relation to Onekawa Te Mawhai regional park and Pāpāmoa Hills regional park and for numerous Environmental Enhancement Projects spanning the region. The seven Ōhiwa Harbour Strategy partners (BOPRC, Ōpōtiki District Council, Whakatāne District Council, Whakatōhea, Upokorehe, Waimana Kaaku and Ngāti Awa) are developing a heritage trail around Ōhiwa Harbour. The first stage involving 12 signs scattered around the harbour at important cultural and ecological sites is nearing completion and the second stage with further signs is about to begin.

A virtual field trip aimed at primary school students has been developed by the partners in conjunction with LEARNZ. This provides educational materials on many aspects of the Ōhiwa Harbour.

BOPRC and the region's local authorities are involved in a variety of programmes and projects promoting public and landowner understanding of indigenous ecosystems including wetland, forests, marine, estuary and dune ecosystems.

### **2.15 Method 65 Advocate to establish reserves**

Method 65 is linked to Policies CE 9B and CE 4A. BOPRC consistently advocates the establishment of land based reserves in the coastal environment through the district application consents referral process. This most commonly occurs in association with subdivision consent applications. Reserves can be advocated for public access, conservation or recreation purposes depending on the characteristics and values of the subject area.

Although there has been no advocacy for marine based reserves in recent times BOPRC have supported applications for mataitai reserves. Part of the reason for this is the marine protected areas policy and legislation has been under review for some years and is still not resolved. BOPRC have submitted on this process. The PRCEP includes provisions to investigate the impacts of fishing on biodiversity and this in turn, and/or future marine spatial planning, may lead to marine reserve advocacy work.

### **2.16 Method 68 Investigate mechanisms to reduce litter in and adjacent to the coastal marine area**

Method 68 requires Regional council, city and district councils investigate the use of regulatory and non-regulatory mechanisms to reduce litter in and adjacent to the coastal marine area. Method 68 contributes to Policy CE 10B.

Regional Council's involvement in litter reduction uses non regulatory initiatives. For example in the Tauranga Moana Programme, Regional Council partners with Tauranga City Council on the Stream and Estuary Clean-Up Programme. During 2013/14 there were 8 coastal margin litter clean up events. This resulted in over 100 tonnes of rubbish removed from the harbour and streams by volunteers. As part of the sea lettuce programme 280 tonnes of sea lettuce was cleared from the harbour and seashore.

In the following year 3,870 kg of rubbish was collected during 9 litter clean up events involving 1,570 local school children. 350 tonnes of sea lettuce was cleared from the harbour and foreshore and 58 tonnes of oil waste collected during Mobil oil spill response. Western Bay of Plenty District Council have agreed to partner in the Programme from 2017/18.

There are 12 estuary care groups in the Tauranga Harbour catchment. These groups also carry out litter clean up events among other things. Similar groups exist in the eastern Bay of Plenty. A number of litter clean up events have been held around the Ōhiwa Harbour and the adjacent coastline in recent years.

### **2.17 Method 69 Mitigate environmental impacts from the use of public space within the coastal marine area**

Method 69 is linked to Policies CE 8B and CE 11B.

Method 69 requires BOPRC investigate economic instruments to mitigate unavoidable adverse effects from use of CMA including through occupation charges, off-site mitigation or other mitigation mechanisms. Method 69 contributes to Policies CE 8B, CE 9B and CE 11B and is the responsibility of Regional Council to implement.

Method 69 is implemented by Policies SO 9, PZ 10, RM 2 and Schedule 11 Financial Contributions of the PRCEP.

Policy SO 9 states BOPRC will investigate coastal occupation charges and if appropriate include them by way of a plan change.

Reclamation Policy RM 2 enables BOPRC to consider granting an application for reclamation of land in the CMA where a list of criteria are met including (f); *When the proposal incorporates declamation of land in another location or other **off-site activities** that will offset any significant adverse effects of the reclamation on natural heritage, cultural and amenity values, the offset must achieve no net loss and preferably a net gain in the affected values.*

Port Zone Policy PZ 10 recognises that reclamation at Port of Tauranga is appropriate provided that any adverse effects are appropriately managed, including by use of off-site mitigation.

In Schedule 11 Financial Contributions enable BOPRC to impose a financial contribution to provide for off-site mitigation or remediation measures or works in other areas to mitigate or offset the effects of the disturbance where the activity is likely to mine the seabed or cause or contribute to adverse effects on the benthic environment and or water quality.

## **2.18 Method 71 Identify coastal vehicle access requirements and restrictions**

Method 71 contributes to Polices CE 2B, CE 3A, CE 4A, CE 6B, CE 8B, CE 9B and CE 12B and is the responsibility of Regional Council and city and district councils to implement.

Method 71 is derived from NZCPS Policy 20 and requires the identification of areas in the coastal environment where vehicle access is permitted, required or controlled.

Appropriate access control methods include managing access through bylaws, regional and district plans, control of reserve access points or user-agreements.

The PRCEP identifies District and city councils are also responsible for the implementation of bylaws for intertidal areas and land within their territories to manage (among other things) vehicles on beaches. The region's district control vehicles on beaches through bylaws. In general the bylaws allow for vehicles on beaches only to enable launching or retrieving of fishing vessels via authorised access ways. Exemptions generally apply to law enforcement officers, Council officers, Rescues Services personnel.

The Whakatāne District has district plan rules and bylaws. Driving along the beach or along the dunes is prohibited by [Part 13](#) of the Whakatāne District Bylaws 2007. Small boats can be launched into the surf at approved access points, but the launching vehicle must then leave the beach by the most direct route.

Schedules 1 and 2 of the Ōpōtiki District Council Beach Bylaw 2008 identifies beach areas in the Ōpōtiki District where driving is prohibited or restricted. Outside these areas driving is permitted. These areas all occur to the west of and include Tirohanga Beach. Driving on beaches east of Tirohanga Beach is permitted. Vehicles are also prohibited from mudflats in the Ōhiwa Harbour.



In the Western Bay of Plenty District Part 10 of the Reserves and Facilities Bylaw 2012 and in Tauranga City Council's their Beaches Bylaw 2007 restricts vehicles on all beaches across the district. The normal exemptions and conditions apply.

It should be noted the enforcement of these bylaws is problematic especially in the eastern bay where the less densely populated coastline means vehicle access is easier and there is less 'public' enforcement.

## **2.19 Method 72 Support industry-led environmental accords, guidelines and codes of practice**

Method 72 is linked to Polices CE 9B and CE 10B and is the responsibility of Regional Council to implement. Relevant PRCEP provisions include Schedule 12 and Method 10.

Method 10 promotes industry good management practice standards. Schedule 12 *High Risk Facilities* encourages the use of industry guidelines and codes of practice that detail management procedure to reduce the level of contaminants present in stormwater. Schedule 12 identifies a range of industries and activities that apply. For example; chemical manufacture, application and bulk storage, electrical and electronic works, power generation and transmission.

Schedule 12 is linked to Coastal Discharge Rule CD 5(i) which requires any discharge shall not contain any stormwater from a high risk facility identified in it.



# **APPENDIX 3**

## **Coastal Environment Policies and Methods**



## Coastal Environment Policies

### Policy CE 1B: Extent of the coastal environment

The extent of the coastal environment shall be determined by giving effect to the maps in Appendix I.

#### Explanation

Policy CE 1B refers to the maps of the coastal environment contained in Appendix I based on the direction given in the NZCPS 2010. District and regional plans must manage activities in the coastal environment as delineated in Appendix I.

*Table reference: Objectives 2 and 4, Methods 1, 2 and 3*

### Policy CE 2B: Managing adverse effects on natural character within the coastal environment

Preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development by including provisions in regional and district plans, and when making decisions on resource consents to:

- (a) Avoid adverse effects of activities on the attributes that comprise natural character in areas of the coastal environment with outstanding natural character as identified in the maps and tables in Appendix I and J;
- (b) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on the attributes comprising the natural character in all other areas of the coastal environment, recognising that areas identified in maps in Appendix I as having high or very high natural character can be especially sensitive to the adverse effects of inappropriate subdivision, use and development; and

- (c) Recognise that open coastal water in the region is of at least high natural character.

#### Explanation

Policy CE 2B comprises three parts. Part (a) requires the complete avoidance of adverse effects of inappropriate activities on the attributes of areas of the coastal environment with “outstanding” natural character. These areas are mapped in Appendix I. Part (b) requires avoidance of significant adverse effects on attributes comprising natural character in all other areas and that activities avoid, remedy or mitigate adverse effects on the natural character attributes of all areas of the coastal environment. Part (c) clarifies the natural character status of open coastal water and Policy 13 of the NZCPS 2010 will apply, recognising the blanket ranking of the open coast may require site specific assessment.

This policy confirms that the effects of some activities may not be adverse in light of an areas’ natural character attributes and a consideration of whether the activity itself is appropriate in this location.

For example, the attributes for Tauranga Harbour include channel markers (scattered throughout the harbour and visible during the night time) and commercial areas. These features diminish natural character but comprise the harbour at the time it was assessed.

Suitable provisions in regional and district plans may include policies, rules and zones to direct inappropriate activities away from areas susceptible to the loss of natural character. Measures should provide for the existing lawfully established activities, subdivisions, designations and zonings and their continuance and development in a way that maintains or enhances the natural character values of the area.

*Table reference: Objective 2, 18 and 19, Methods 1, 2, 3, 8, 26, 55, 56, 60, 62 and 71*

**Policy CE 3A: Identifying the key constraints to use and development of the coastal marine area**

Identify the major constraints to the future use and development of the coastal marine area taking into account:

- (a) The scale, location and requirement of existing uses and activities;
- (b) The natural physical characteristics and values of the coastal environment;
- (c) The particular requirements of identifiable future uses;
- (d) The required links to the landward portion of the coastal environment, integral to the operation of uses and activities located in the coastal marine area; and
- (e) The role of the coastal environment in accommodating regionally significant infrastructure.

**Explanation**

There is a range of competing uses of space, both in the coastal marine area, and on the adjacent shore. These activities require proactive management to avoid conflict between incompatible uses, preferably in advance of them occurring. One method of providing direction on the appropriate location and scale of activities within the coastal marine area is to provide appropriate zones. Constraints mapping as directed by this policy is a necessary precursor to zoning. As a precursor to developing appropriate zones, this policy directs constraints mapping of the coastal marine area (below Mean High Water Springs) and provides for the links on land (above Mean High Water Springs), which are integral in enabling marine-based activities, to occur.

*Table reference: Objectives 2, 3 and 4, Methods 2, 8, 34, 61 and 71*

**Policy CE 4A: Protecting and restoring natural coastal margins**

Protect the natural functioning of coastal margins and identify opportunities to restore and enhance natural functioning to allow for:

- (a) The continued natural functioning of physical processes, including changes arising as a result of climate change; and
- (b) The capacity of natural features (such as beaches, estuaries, sand dunes, wetlands, coastal vegetation and barrier islands) to provide subdivision, use or development with a protective buffer from natural hazards.

**Explanation**

Policy CE 4A requires areas of coastal margin to be restored, enhanced and/or protected to be identified throughout the Bay of Plenty region and provisions included to manage activities to ensure the buffering ability of these natural features is not compromised.

The ability of the natural coastal margin to provide a natural defence against coastal hazards and assist in protecting the coastal environment is critical, given the predicted changes to sea level and the potential for increased storm surge and frequency, tidal margins and other coastal hazard drivers arising from climate change.

This policy is aimed at protecting and restoring the natural protective capacities of the coastal margin to provide natural defences against coastal hazards. In some cases where consideration of factors under Policy CE 6B has been undertaken, it may be appropriate to remove vegetation, exotic or indigenous, that has established in the region as the result of poor or inappropriate land use, and/or at a rate that is disproportionate to other natural features.

*Table reference: Objective 2, Methods 1, 2, 3, 26, 34, 35, 37, 49, 55, 56, 59, 60, 63, 65 and 71*

**Policy CE 5A: Provide for sustainable use and development**

## of the coastal marine area

Provide by zoning or other spatial mechanisms for activities that have a functional and positional need to locate in the coastal marine area by zoning or other spatial mechanisms to:

- (a) Enable efficient use of these areas to meet the social and economic needs of the region;
- (b) Prioritise functionally or positionally dependent, activities over other uses which do not have a functional need for a location in the coastal marine area;
- (c) Enable the efficient use and development of renewable energy resources within the coastal environment;
- (d) Provide for other activities where they are compatible with functionally-dependent activities.

### Explanation

Competition for space within the coastal environment has the potential to displace or limit the operation of marine related activities that have a functional need to be located in the coastal marine area and are important to the social and economic wellbeing of the region including regionally significant infrastructure such as ports, maritime passenger and freight transport, aquaculture, renewable marine energy, as well as infrastructure which supports marine related activities such as boat ramps, jetties, moorings and other marine facilities.

Policy CE 5A gives effect to Policies 6(2), 8 and 9 of the New Zealand Coastal Policy Statement by recognising there are activities that have a functional need to be located in the coastal marine area and providing for these activities in appropriate places.

*Table reference: Objectives 3 and 4, Methods 2 and 33*

### Policy CE 6B: Protecting indigenous biodiversity

Use the criteria in Policy 11 of the New Zealand Coastal Policy Statement 2010 to identify and protect areas of indigenous

biological diversity in the coastal environment requiring protection under that policy.

### Explanation

Policy CE 6B protects indigenous biological diversity of the coastal environment, on land and in the water in accordance with NZCPS 2010 Policy 11 parts (a) and (b). Policy CE 6B links to Method 61 which requires the identification of outlined areas.

*Table reference: Objective 2, Methods 3, 61 and 71*

### Policy CE 7B: Providing for the management of mangroves

In appropriate places, manage mangroves to avoid any identified adverse effects of mangrove proliferation, having regard to the positive and/or negative environmental effects of mangrove removal. The following shall be taken into account when considering mangrove management;

- (a) Habitat values including whether the mangroves provide a significant habitat for indigenous fish or bird species or provide a vegetation sequence connecting other habitats, and whether mangroves are adversely affecting habitat values of open inter-tidal areas or other significant native estuarine vegetation communities (e.g. saltmarsh and seagrass habitats);
- (b) Whether the mangroves provide a buffer against coastal erosion;
- (c) Relative age, maturity and historic space distribution of mangroves;
- (d) Whether the spread of mangroves is causing significant restrictions on access to beaches, harbour and recreation areas, or having adverse effects on navigational access and safety;
- (e) Whether mangroves or mangrove removal would adversely affect the natural character, amenity, cultural, landscape or seascape values;
- (f) The ability for, and the effects of, sediment remobilisation at the site following mangrove removal;

- (g) The existence and implementation of a catchment management plan for the area;
- (h) The likely effects of the proposed method of mangrove removal; and
- (i) Providing for seedling removal where appropriate in order to prevent mangrove re-establishment in cleared areas or to constrain mangrove expansion into new areas.

## Explanation

Mangroves are indigenous plants and play an important role in coastal ecosystems by contributing to natural character, enhancing water quality, protecting coastal margins from erosion, and providing habitat for coastal flora and fauna within the intertidal zone. Rapid expansion of mangrove communities into areas previously free of mangroves can have adverse effects on the balance of the marine ecosystem and on human uses of the coastal marine area including through sediment entrapment, and effects on amenity, recreation values and public access.

A range of drivers have been identified as contributing to the expansion of mangroves seaward of the intertidal zone in Tauranga and Ōhiwa harbours including climate change, accelerated sedimentation and increased nutrient supply. Policy CE 7B provides for decisions regarding mangrove management to be made on a case-by-case basis taking into account the adverse effects of mangrove expansion, the ecological values of mangrove communities, and the effects of mangrove removal on the environment.

It is important to emphasise the importance of having catchment management plans in place where mangrove removal is contemplated, in order to achieve an integrated 'whole of catchment' approach.

Research into the distribution of mangroves in Tauranga Harbour demonstrates that extensive increases in the area of mangrove coverage has occurred since the late 1970s. While it is not necessarily desirable or practical to return Tauranga Harbour or other harbours and estuaries to pre-1970's state, understanding changes in the environment since this time is important to help assess the extent of mangrove proliferation and its effects on harbour and estuary environments. Also allowing the removal of mangrove seedlings

where appropriate will assist in preventing the expansion of mangroves into areas where they would detract from harbour values and maintaining previously cleared areas. Removal must avoid unnecessary disturbance of estuarine sediments. For the purposes of this policy, mangrove seedlings are defined as single stemmed and unbranched mangrove plants less than 60 cm in height.

In areas of significant vegetation protected by the Regional Coastal Environment Plan, Policy CE 7B provides for mangrove removal to be considered where it can be established that mangroves are adversely affecting the indigenous vegetation originally intended to be protected by the plan.

*Table reference: Objective 2, Methods 3, 26, 34 and 35*

## **Policy CE 8B: Ensuring subdivision, use and development is appropriate to the natural character of the coastal environment**

When assessing the effect of subdivision, use and development on the natural character of the coastal environment, particular regard shall be given to:

- (a) The level of natural character as shown in Maps in Appendix I, as described in Appendix J, and the level of protection to be afforded by Policy CE 2B;
- (b) The criteria contained in Set 1 of Appendix F to further refine natural character for resource consents or site-specific mapping;
- (c) Maintaining coastal margins in a natural state and protecting the natural values of beaches and dune systems, including their ability to reduce the impacts of coastal hazards such as tsunami and storm surge;
- (d) The appropriateness of the introduction or accumulation of man-made modifications recognising activities that are:
  - (i) planned (consented, zoned or designated);



- (ii) provided for in reserve management plans; or
- (iii) identified in Appendix C, D and E; or
- (iv) lawfully established;
- (e) The provisions of Customary Marine Title Management Plans;
- (f) Subject to Policy CE 2B avoiding significant adverse effects and avoiding, remedying or mitigating (including, where appropriate, through provision of buffers) other adverse effects on:
  - (i) Visually, ecologically or culturally sensitive landforms, including ridgelines, coastal cliffs, beaches, headlands, and peninsulas and visually prominent public open space;
  - (ii) Estuaries, lagoons, wetlands and their margins (saline and freshwater), dune lands, rocky reef systems and areas of eelgrass and salt marsh;
  - (iii) Terrestrial and marine ecosystems;
  - (iv) Natural patterns of indigenous and exotic vegetation and processes that contribute to the landscape and seascape value of the area; and
  - (v) Regionally significant surf breaks and their swell corridors, including those at Matakana Island and the Whakatāne Heads;
- (g) Encouraging efficient use of occupied space through intensification and clustering of developments, rather than sprawling, sporadic or unplanned patterns of settlement and urban growth;
- (h) Setting buildings and structures back from the coastal marine area and other waterbodies where necessary, practicable and appropriate to protect natural character, open space, public access and amenity values of the coastal environment, while recognising some structures may have a functional need to be located in the coastal environment, for which a setback would be inappropriate.

## Explanation

Policy CE 8B recognises that in some areas natural character has been mapped and directs decision-makers to consider the appropriateness of development having regard to Policy CE 2B and local-scale considerations. Part (a) applies only to the mapped areas.

The policy identifies particular elements, features and patterns which, if present, in the coastal environment require a higher level of protection from development in terms of avoidance, remediation or mitigation of adverse effects. This policy will ensure that subdivision, use and development are appropriate for the characteristics of the area and will not result in significant adverse effects on the natural character of the coastal environment.

Objective 6 and Policy 7 of the NZCPS 2010 recognise that there are competing needs in managing activities in the coastal environment. The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits. Sub-paragraph (d) recognises that in managing adverse effects there is also a need to take into account planned development and the needs of existing uses, such as rural activities.

The extent to which particular activities are appropriate within the coastal environment is a matter for the Regional Coastal Environment Plan to define. That plan will recognise the rights conferred to owners of consents, provided for in existing operative plans or proposed by way of details in Appendices C and D (growth area timing and sequencing and business land provisions) of this Policy Statement. Special “classes” of development, including proposal by Tangata whenua and minor works consistent with Reserve Management Plans will be considered in the Regional Coastal Environment Plan.

Surfing is an economically and socially important activity in parts of the Bay of Plenty. Breaks such as Matakana (i.e. Puni’s Farm) have featured in the international media and together with Whakatāne Heads are considered to be of regional significance. It is therefore appropriate that particular regard is had to avoiding, remedying or mitigating potential adverse effects on regionally significant surf breaks and their swell corridors.

Table reference: **Objectives 2 and 4, Methods**

**Policy CE 9B: Safeguarding the life-supporting capacity of coastal ecosystems**

Safeguard the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing:

- (a) Any area within the inter-tidal or sub-tidal zone that contains unique, rare, distinctive or representative marine and avian species or habitats;
- (b) Areas used by marine mammals as breeding, feeding or haul-out sites;
- (c) Habitats in the coastal environment that are important during the vulnerable life stages of indigenous species or any life stage of species listed as threatened or at risk by the Department of Conservation;
- (d) Any areas that contain indigenous coastal ecosystems and habitats that are particularly vulnerable to modification – such as estuaries, lagoons, coastal wetlands, dunelands, rocky reef systems and salt marshes;
- (e) The integrity, functioning and resilience of physical and ecological processes; and
- (f) Promoting water quality in the coastal marine area that sustains healthy aquatic ecosystems.

**Explanation**

Many threats to the life-supporting capacity of coastal ecosystems result from the cumulative impacts of land use activities which cause increased, sedimentation and nutrient loading into receiving coastal water bodies including harbours and estuaries. Adverse effects include degrading water and habitat quality for aquatic life, altering species composition, detrimental effects on the life supporting capacity of marine ecosystems and the ability of the ecosystem to adapt to pressures (including the likely pressures from climate change).

This policy describes habitats that are particularly sensitive to development pressures. Because some of these areas

straddle the land and water interface, they will need to be controlled through both regional and district plans.

Monitoring of the harbour provides information on what normal ecosystem processes would look like, thus allowing for action to address any adverse effects.

*Table reference: Objective 2, Methods 3, 34, 37, 49, 53, 55, 59, 60, 62, 65, 71 and 72*

**Policy CE 10B: Managing adverse effects of land-based activities in the coastal environment on marine water quality**

Manage adverse effects, including cumulative effects, from land based activities in the coastal environment on marine water quality by:

- (a) Requiring that subdivision, use and development does not result in a significant contribution to sedimentation in the coastal marine area or other water bodies within the coastal environment;
- (b) Minimising the creation of impervious surface areas;
- (c) Minimising contaminants in stormwater that discharges into water or on to land that may enter water, including discharges to existing and new stormwater infrastructure;
- (d) Minimising the risk of releasing contaminants and avoiding releasing discharges from contaminated land;
- (e) Adopting water-sensitive design and management principles;
- (f) Adopting on-site management techniques that will improve the quality of stormwater and/or wastewater prior to discharge;
- (g) Establishing, replacing, retaining and/or enhancing riparian and catchment vegetation for the purpose of promoting setbacks and ecological buffer areas around wetland areas; and
- (h) Assessing treatment alternatives for discharges and adopting the best practicable option for treatment.

## Explanation

A high standard of water quality is essential to maintain the health of ecosystems in the coastal marine area. This policy means that discharges, after reasonable mixing, cannot cause water quality to be unsuitable for sustaining healthy, functioning ecosystems and relates to point and non-point source discharges originating both within and outside of the coastal environment. Most contaminants and sediments that arrive in the coastal marine area are carried by rivers, streams and stormwater drains.

Contaminants in this policy are substances that are capable of causing ill health, injury or death to any living organism – such as heavy metals, hydrocarbons, pesticides and other chemicals including anti-fouling compounds. Carried in stormwater, contaminants can bind with sediment and accumulate where the sediment settles, on the seabed or the bed of a freshwater body, particularly in low energy aquatic receiving environments.

*Table reference: Objective 2, Methods 3, 34, 35, 37, 53, 61, 63, 68 and 72*

### **Policy CE 11B: Allocating public space within the coastal marine area**

For allocation of space within the coastal marine area activities shall demonstrate:

- (a) A functional or positional need to be located in, or adjacent to, the coastal marine area;
- (b) Efficient use of the natural resources within the coastal marine area; and

In addition to policies MN 2B, MN 3B, MN 5B, MN 6B and MN 8B consideration shall also be given to the effect of the activity in relation to:

- (c) Whether any benefit to the public of the proposed activity compensates for the loss of public open space; Multiple use of space and/or rationalisation of infrastructure;
- (d) Recreational use of the coastal marine area;
- (e) Ecological functioning and natural processes of the coastal marine area;

- (f) Compatibility with the natural features and landscapes, natural character and amenity values of the coastal environment;
- (g) Respect for Māori customary practices; and
- (h) Existing uses and constraints in the coastal marine area.

## Explanation

The coastal marine area (and large parts of land adjacent to the high tide mark) is recognised as generally being public space managed by the Crown. The interest of the public must be properly considered when any activity located in or adjacent to the coastal marine area is being considered. Policy CE 11B recognises that opportunities for use and development on Crown-managed coastal land and water space are limited and that there is potential for conflict between different activities in and adjacent to the coastal marine area. Coastal space needs to be managed so that conflicts are avoided, amenity values are maintained and enhanced, and safety and navigation requirements are met. Policy CE 11B sets a basis for the equitable allocation and efficient use of coastal marine space.

This policy also addresses efficient use of the coastal marine area by discouraging unnecessary occupation and encouraging multiple use and rationalisation of space, to minimise the total amount of public space occupied in the coastal marine area.

Full consideration of the public interest when allocating space within the coastal marine area would include setting charges for the use of public space as the absence of a fair market rental provides incentive to locate built development in the coastal marine area and on reclamations of public foreshore and seabed.

*Table reference: Objective 2, 3 and 4, Methods 3, 69 and 71*

**Policy CE 12B: Avoiding inappropriate hazard mitigation in the coastal environment**

Avoid inappropriate hazard mitigation in the coastal environment with particular regard given to:

- (a) The environmental and social costs and benefits of a range of long term sustainable coastal hazard risk reduction options over a 100 year time frame, including natural defences and relocation or removal of development or structures at risk. This analysis shall include an assessment of residual risk remaining after the options are implemented;
- (b) Whether hard protection structures are the only practical means to protect infrastructure of national or regional importance;
- (c) Whether other long term risk reduction methods, including non-structural or soft engineering solutions, are more appropriate options;
- (d) The cumulative effects of isolated hard protection structures; and
- (e) Whether the hard protection structures would adversely affect or facilitate public access to and along the coastal marine area.

**Explanation**

For parts of the region’s developed coastlines, there may be public demand for coastal protection measures to ‘hold the line’ and protect regionally or nationally significant infrastructure or utilities. A range of coastal protection measures are currently in place. Hard protection measures are often sought but are not always the most effective or sustainable option in the long term and can lead to a false sense of future security and encourage further development behind the structures.

Policy CE 12B recognises that it may be necessary in some circumstances to undertake structural hazard mitigation works, however hard protection structures have the potential to exacerbate the natural hazard risk and can have adverse effects including effects

on natural character, amenity and public access to and along the coastal marine area. The policy requires that long-term costs and benefits are taken into account in decision making. Policy CE 12B must be read in conjunction with other RPS provisions and the New Zealand Coastal Policy Statement 2010 – in particular NZCPS Objective 5 and Policies 25, 26 and 27.

*Table reference: Objective 2, Method 3*

**Policy CE 13B: Enabling sustainable aquaculture**

Enable aquaculture activities in appropriate locations in the coastal environment taking into account:

- (a) Existing uses and values within the coastal marine area;
- (b) Compatibility with zones identified within the relevant regional plan;
- (c) Potential for significant social, cultural and/or economic benefits to communities within the region;
- (d) Land based facilities and infrastructure associated with the aquaculture activity;
- (e) Adverse effects on marine mammals and areas of significant landscape, heritage, cultural or ecological value identified within any relevant regional or district plan;
- (f) The quality of water required for the aquaculture activity and the effect of the activity on water quality; and
- (g) That harbours and estuaries are not generally considered to be appropriate locations.

**Explanation**

Policy CE 13B recognises the potential of the aquaculture industry to contribute to the regional economy, while also limiting the potential for conflicting uses of space and adverse effects on the values of the coastal environment.

Policy CE 13B identifies the region’s harbours and estuaries as being generally inappropriate for commercial aquaculture. It is recognised that oyster farming has historically been

located within Ōhiwa Harbour and this small scale activity holds resource consents to operate.

*Table reference: Objective 4, Method 3*

### **Policy CE 14B: Providing for ports**

Recognise the national and regional significance of the Port of Tauranga and the need for it to be located within the coastal environment by:

- (a) Safeguarding the capacity and efficiency of:
  - (i) Current port operations
  - (ii) Activities that have a functional need to be located in and around the port;
  - (iii) The strategic road, rail and sea routes to the port; and
- (b) Providing, as appropriate, in the regional coastal plan, for future port operations and capacity; and
- (c) Having regard to potential adverse effects on the environment, providing for the need to maintain shipping channels and to renew/replace structures as part of ongoing maintenance; and
- (d) Avoiding activities in areas that may compromise port operations.

### **Explanation**

The region's ports, in particular the Port of Tauranga, are an existing and essential component of the region's transportation network. Policy CE 14B gives effect to Policy 9 of the New Zealand Coastal Policy Statement 2010.

*Table reference: Objective 4, Method 3*

### **Policy CE 15B: Recognising secondary ports**

Recognise the local and regional significance of ports at Whakatāne and Ōpōtiki and take into account their social and economic benefits, including the need to maintain navigation channels.

### **Explanation**

The region's secondary ports contribute to the wellbeing of their communities. Policy CE 15B requires recognition of their existing and potential benefits in decision-making.

Ōpōtiki and Whakatāne Ports are located in river estuaries and require ongoing dredging in order to maintain safe vessel access.

*Table reference: Objective 4, Method 3*

### **Methods to implement policies**

#### **Method 1: District plan implementation**

District plans shall give effect to Policies CE 1B, CE 2B, CE 4A, GR 4A, IR 8C, MN 1B, MN 7B, MN 8B, UG 1A, UG 2A, UG 3A, UG 4A, UG 5A, UG 6A, UG 7A, UG 17B, UG 18B and UG 21B.

If a district plan does not currently give effect to these policies, then the district council shall notify a variation or change as soon as reasonably practicable, but within two years from the date on which the Bay of Plenty Regional Policy Statement is made operative, to give effect to them as required by the Resource Management Act 1991.

*Implementation responsibility: City and district councils.*

#### **Method 2: Regional plan implementation**

Regional plans shall give effect to Policies AQ 2A, AQ 3A, CE 1B, CE 2B, CE 3A, CE 4A, CE 5A, GR 1A, GR 2A, GR 3A, GR 9B, IR 8C, MN 1B, MN 7B, MN 8B, WL 2B, WL 3B, WL 4B, WL 5B, WL 6B, WQ 1A and WQ 2A.

If a regional plan does not currently give effect to these policies, then Bay of Plenty Regional Council shall notify a variation or change as soon as reasonably practicable, but within two years from the date on which the Bay of Plenty Regional Policy Statement is made operative, to give effect to them as required by the Resource Management Act 1991.

*Implementation responsibility: Regional council.*

#### **Method 3: Resource consents, notices of requirement and when**

**changing, varying, reviewing or replacing plans**

Policies AQ 1A, CE 1B, CE 2B, CE 4A, CE 6B, CE 7B, CE 8B, CE 9B, CE 10B, CE 11B, CE 12B, CE 13B, CE 14B, CE 15B, EI 1B, EI 2B, EI 3B, EI 4B, EI 5B, EI 6B, EI 7B, GR 5B, GR 6B, GR 7B, GR 8B, GR 9B, GR 10B, GR 11B, GR 12B, IR 1B, IR 2B, IR 3B, IR 4B, IR 5B, IR 6B, IR 7C, IR 8C, IR 9B, IW 1B, IW 2B, IW 3B, IW 4B, IW 5B, IW 6B, MN 1B, MN 2B, MN 3B, MN 4B, MN 5B, MN 6B, MN 7B, MN 8B, NH 1B, NH 2B, NH 3B, NH 4B, NH 5B, NH 6B, NH 9B, NH 10B, NH 11B, UG 8B, UG 9B, UG 10B, UG 11B, UG 12B, UG 13B, UG 14B, UG 15B, UG 16B, UG 17B, UG 18B, UG 19B, UG 20B, UG 21B, UG 22B, UG 23B, UG 24B, WL 1B, WL 6B, WL 7B, WL 8B, WQ 2A, WQ 3B, WQ 4B, WQ 5B, WQ 6B, WQ 7B and WQ 8B shall be given effect to when preparing, changing, varying or reviewing a regional plan or a district plan, and had regard to when considering a resource consent or notice of requirement.

*Implementation responsibility: Regional council, city and district councils.*

**Method 8: Identify areas or sites in the coastal environment of significance or special value to Māori**

In consultation with tangata whenua, identify areas or sites in the coastal environment of significance or special value to Maori

*Implementation responsibility: Regional council and city and district councils.*

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

Promote active community participation by providing practical support for community restoration initiatives focused on the protection, restoration or rehabilitation of natural features and ecosystems.

*Implementation responsibility: Regional council, city and district councils.*

**Method 33: Take a collaborative approach to the management of the coastal environment**

Use a collaborative approach with adjoining local authorities, tangata whenua, the Department of Conservation and other

agencies with resource management responsibilities for the coastal marine area, including under other legislation, when:

- (a) This will result in consistent and efficient management;
- (b) There are competing uses and potential for values conflict for resources; and
- (c) The natural and physical values are of regional significance.

*Implementation responsibility: Regional council, city and district councils and the Ministry Primary Industries.*

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

Adopt a holistic catchment-based approach that recognises the inter-relationships among all elements of the environment and activities, works, operations and services that occur higher in the catchment and the downstream effects that these activities generate lower in the catchment and ultimately in the coastal environment.

*Implementation responsibility: Regional council\* and city and district councils.*

**Method 35: Integrated Catchment Management Plans**

Prepare and implement integrated non-statutory management plans for catchments discharging into harbours at risk including Tauranga and Ōhiwa Harbours.

*Implementation responsibility: Regional Council.*

**Method 37: Investigate the use of large scale wetlands**

Investigate the establishment of large scale wetlands/settling ponds in the downstream areas of the contributory streams feeding into the regions harbours.

*Implementation responsibility: Regional council, city and district councils.*

**Method 49: Improve biodiversity values of open spaces**

Reserves, parks and other open space (including esplanade strips and reserves) should be acquired or protected by covenant and then managed to improve biodiversity values, where this is consistent with the purpose of open space. This should be implemented with reference to significant indigenous vegetation and habitats of indigenous fauna where these have been identified as warranting protection as a matter of national importance through the application of the criteria set out in Appendix F and other identified regional biodiversity priorities.

*Implementation responsibility: Regional council, city and district councils.*

**Method 53: Research and monitor the effects of discharges**

Monitor the effects of discharges on people's health and/or air, land and water quality, and where necessary undertake research.

*Implementation responsibility: Regional council.*

**Method 55: Identify priority ecological corridors and buffers**

Identify, in consultation with affected landowners, stakeholders and communities, priority areas where the establishment or retention of ecological corridors and buffers is appropriate and evaluate the most practicable methods for management. In doing so ensure that any management approaches are fully costed.

*Implementation responsibility: Regional council, city and district councils.*

**Method 56: Identify areas for restoration or rehabilitation of natural character**

Identify areas of the coastal environment where restoration or rehabilitation of natural character should be undertaken as a priority. Identification of restoration or rehabilitation areas should consider whether restoration or rehabilitation of the natural character is practicable and can be sustained given lawfully established and permitted use and planned activities (including consented, designated and/or provided for in reserve management plans) activities of the area,

relevant planning considerations and, where land is in private ownership, concerns of and impacts on landowners. Priority restoration or rehabilitation areas, for further evaluation in consultation with affected landowners, include:

- (a) where natural character has been compromised; or
- (b) for natural character areas in the RPS, where these have been identified as important in iwi or hapū resource management plans; or
- (c) where the restoration of an area has been planned for enhancement through biodiversity strategies; or
- (d) where the restoration of natural character is integral to the restoration of the entire area; or
- (e) where restoration or rehabilitation is likely to proceed with the agreement of landowners, unless the restoration or rehabilitation is the requirement of a resource consent.

*Implementation responsibility: Regional council.*

**Method 59: Protect, restore and enhance natural coastal margins**

Identify areas where the natural functioning of physical processes along coastal margins is degraded and seek opportunities to preserve, protect and enhance the buffering capacity of these areas.

*Implementation responsibility: Regional council, city and district councils.*

**Method 60: Enhance the natural character of the coastal environment, where compromised**

In consultation with affected landowners consider opportunities (including conditions on resource consents or designations) to restore or enhance the natural character of the coastal environment where it has been compromised, and is practicable when taking into account existing or proposed (consented, designated, zoned or included in an operative reserve management plan) lawful uses and activities occurring in the area or where it is identified for restoration through Method 56, including:

- (a) Removing derelict or functionally redundant structures;

- (b) Restoring or enhancing natural elements including dunes, saline wetlands, intertidal saltmarsh, riparian margins and other natural coastal features or processes;
- (c) Restoring indigenous habitats and ecosystems, using local genetic stock where practicable, including kaimoana areas identified in collaboration with tangata whenua;
- (d) Encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management;
- (e) Creating or enhancing habitat for indigenous species;
- (f) Enhancing water quality;
- (g) Remediation of contaminated sites;
- (h) Retrofitting existing built development to be less intrusive and to minimise adverse effects on ecosystem processes;
- (i) De-reclamation of previously reclaimed and functionally redundant land where it will restore the natural character and resources of the coastal marine area and/or provide more public open space or public access; and
- (j) Managing the effects of subdivision, use, development and reclamation by taking into account the potential benefits of on and offsite-mitigation proposed to avoid, remedy or mitigate adverse effects.

*Implementation responsibility: Regional council,\* and city and district councils.*

**Method 61: Assess and classify areas of indigenous biodiversity**

Undertake an assessment of the indigenous biodiversity of the region and classify areas of the coastal environment into those that meet the criteria given in Policy 11(a) of the NZCPS 2010 and those that meet the criteria given in Policy 11(b) of the NZCPS 2010 and ensure subsequent consultation with affected parties.

*Implementation responsibility: Regional council.*

**Method 62: Identify coastal waters having an adverse effect**

Identify areas of coastal water that have deteriorated to a degree that they are having a significant adverse effect on ecosystems, natural habitats or water based recreational activities, or are restricting uses such as aquaculture, shellfish gathering and cultural activities.

*Implementation responsibility: Regional council.*

**Method 63: Provide and support environmental education programmes**

Undertake and support education programmes to promote public and landowner understanding of the importance of protecting and maintaining the following values in a healthy state:

- (a) Historic heritage;
- (b) Indigenous ecosystems including wetland, forests, marine, estuary and dune ecosystems; and
- (c) Outstanding natural features and landscapes.

*Implementation responsibility: Regional council and city and district councils.*

**Method 65: Advocate to establish reserves**

Promote, advocate and work with relevant agencies and landowners towards the establishment of a network of land and marine based reserves and corridors in appropriate areas representative of and supporting the full range of habitats and ecosystems present in the region.

*Implementation responsibility: Regional council, city and district councils.*

**Method 68: Investigate mechanisms to reduce litter in and adjacent to the coastal marine area**

Investigate the use of regulatory and non-regulatory mechanisms to reduce litter in and adjacent to the coastal marine area.

*Implementation responsibility: Regional council, city and district councils.*



**Method 69: Mitigate environmental impacts from the use of public space within the coastal marine area**

*Implementation responsibility: Regional Council.*

Investigate imposing economic instruments to mitigate unavoidable adverse effects generated by the use of public space in the coastal marine area. Matters to be investigated shall include (but not be limited to):

- (a) Analysis of appropriate levels of mitigation;
- (b) The circumstances in which off-site mitigation shall be considered appropriate and the purposes for which it shall be used; and
- (c) A regime for coastal occupation charges to be imposed to compensate for the use of public space within the coastal marine area.

*Implementation responsibility: Regional council.*

**Method 71: Identify coastal vehicle access requirements and restrictions**

In collaboration with road controlling authorities, and the community, identify areas of the Coastal Environment where:

- (a) Control of vehicle use is required under NZCPS Policy 20(1);
- (b) Vehicle access is required under NZCPS Policy 20(2); and
- (c) Vehicle use is permissible under NZCPS Policy 20(3).

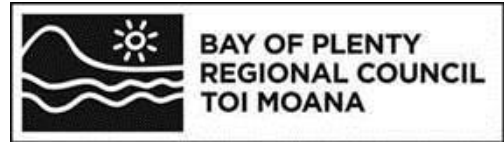
Note: Appropriate access control methods include managing access through bylaws, regional and district plans, control of reserve access points or user-agreements.

*Implementation responsibility: Regional, city and district councils.*

**Method 72: Support industry-led environmental accords, guidelines and codes of practice**

Support industry-led environmental accords, guidelines and codes of practice where such codes represent industry best practice and would lead to the achievement of objectives in this Policy Statement.





Receives Only – No Decisions

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** David Phizacklea, Regional Integrated Planning Manager

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## **Review of the effect of the New Zealand Coastal Policy Statement 2010 on Resource Management Act decision-making**

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### **Executive Summary**

The Minister of Conservation released a review of the effect of the New Zealand Coastal Policy Statement 2010 (NZCPS) on Resource Management Act decision-making in February 2018. The four key findings of the review are:

- Strategic and integrated planning underpins effective NZCPS implementation.
- Implementation is well advanced in some places but less advanced elsewhere.
- Consistent methodologies and further implementation guidance are still required.
- There are strongly polarised views on the implications of the Supreme Court King Salmon decision on the directive policies of the NZCPS.

This report discusses each of these findings in terms of relevance and implications for the Bay of Plenty region. Overall, the review found that implementation in the Bay of Plenty is well-advanced, and that Bay of Plenty Regional Council Toi Moana has adopted a strategic and integrated approach to coastal planning.

Staff support the review finding that consistent methodologies and further implementation guidance is required, but note that a firm timeframe for this to occur has not been included in the review document.

The implications of the 2014 Supreme Court decision on the King Salmon case and the directive 'avoid adverse effects' policies of the NZCPS are still being tested via the Courts. The review recommends any further assessment of these policies should address integrated management rather than focusing on a particular sector (for example aquaculture) and suggests a stakeholder process could be used to consider contrasting views on these policies, and explore the potential for consensus.

### **Recommendations**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Review of the effect of the New Zealand Coastal Policy Statement 2010 on Resource Management Act decision-making;**

## 1 Purpose of Report

This report provides an overview of the key findings from the recently released report: “Review of the effect of the New Zealand Coastal Policy Statement 2010 on Resource Management Act decision-making” and discusses potential implications for Bay of Plenty Regional Council Toi Moana.

The overview and key findings document published by the Department of Conservation (DoC) is provided as a supporting document to this agenda. Additional background material is available on the DoC [website](#)<sup>1</sup>.

## 2 Background

The New Zealand Coastal Policy Statement 2010 (NZCPS) provides national policy direction under the Resource Management Act (RMA) on resource management in the coastal environment. The current NZCPS was gazetted on 4 November 2010, and took effect on 3 December 2010. Under Policy 28 of the NZCPS, the Minister of Conservation is required to assess the effect of the NZCPS on regional policy statements, plans, resources consents and other decision making within six years of its gazettal.

In 2016, staff from the Department of Conservation (DoC) were tasked with undertaking an assessment of the effect of the NZCPS on decision-making under the Resource Management Act (RMA). As part of this process, DoC undertook a series of interviews and focus group discussions during 2016 and 2017 with councils, sector groups, environmental groups and tangata whenua. Council was selected as a “case-study” for the Integrated Management topic, and, along with other councils, completed a detailed questionnaire on NZCPS implementation.

The Minister of Conservation (Hon Eugenie Sage) formally released the findings of the review on 4 February 2018.

## 3 Statutory Requirements

The NZCPS is the only mandatory form of national direction under the RMA (ref s57 RMA). Regional policy statements and plans are required to give effect to the NZCPS (ref s62 and s67 RMA), and it is one of the matters that must be had regard to during decision-making on resource consents (ref s104 RMA).

## 4 Key findings from the New Zealand Coastal Policy review

The key findings of the review (as stated in the document) are:

- Strategic and integrated planning underpins effective NZCPS implementation.
- Implementation is well advanced in some places but less advanced elsewhere.
- Consistent methodologies and further implementation guidance are still required.
- There are strongly polarised views on the implications of the Supreme Court King Salmon decision on NZCPS directive policies.

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<sup>1</sup> <http://www.doc.govt.nz/Documents/conservation/marine-and-coastal/coastal-management/review-of-effect-of-nzcps-2010-on-rma-part-two.pdf>

Each of these findings is discussed in terms of relevance and implications for the Bay of Plenty region.

#### 4.1 Strategic and integrated planning underpins effective implementation

The review found that managing cumulative effects is particularly challenging at the resource consent stage in the absence of a robust, wider strategic planning framework in policy statements and plans.

The review recognises that Council has adopted a strategic and integrated approach to coastal planning (along with Auckland and Northland), but this is not the case in all councils (due to reasons including a lack of technical information, high costs, and silo approaches to resource management).

*“...the approach in Bay of Plenty involves identifying activities that are ‘generally not appropriate’, ‘possible’ and ‘generally appropriate’ in terms of their effects on the ‘qualities and characteristics’ that make a coastal area outstanding for its natural character, natural features or natural landscape. The policies associated with these provisions provide for the consideration of cumulative effects and guidance on the types of conditions that should be imposed by decision makers if consent is granted for an activity.”*

Across New Zealand, implementation of the NZCPS is constrained by a lack of knowledge about the cumulative effects of activities on water quality and indigenous biodiversity, and how best to manage these effects.

Staff support this finding, and note that there is a project<sup>2</sup> underway as part of the Sustainable Seas national science challenge to consider how the science challenge can best support an interagency strategy that will address cumulative effects and enable long term protection, integrity and use of our coastal and marine environments. Council staff are involved in this project.

#### 4.2 Implementation is well advanced in some places but less advanced elsewhere

Resourcing issues are a factor impeding timely implementation of the NZCPS by some councils; however, implementation is well advanced in the Bay of Plenty region through the Regional Policy Statement (RPS) and Proposed Regional Coastal Environment Plan (PRCEP). Being one of the first councils to progress implementation does mean aspects of the policy and regulatory framework adopted by Council have been subject to intense scrutiny and challenge. This is particularly true with regard to the more directive policies of the NZCPS relating to protection of natural heritage (biodiversity, natural character and natural features and landscapes).

In our region, implementing the provisions of the RPS and PRCEP (particularly the non-regulatory methods) will further progress implementation of the NZCPS. A separate report in this agenda provides an overview of progress made toward implementing the RPS Coastal Environment Workstream.

Future PRCEP implementation workstreams include:

- Enhanced identification and assessment of sites and areas of significance to Māori in the coastal environment for cultural, historic and natural heritage

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<sup>2</sup> Navigating the implementation impasse: enabling interagency collaboration on cumulative effects

values – including consideration of how these areas should be protected and what activities are appropriate and should be enabled [NZCPS Policy 2, 11, 13 and 15].

- A stock-take of subtidal marine biodiversity information (including information on fishing and its effects) [NZCPS Policy 11].

These projects could be undertaken as part of a wider marine spatial planning exercise or as stand-alone pieces of work.

#### **4.3 Consistent methodologies and further implementation guidance are still required**

A common theme in submissions from local government on the proposed NZCPS was the need for timely and meaningful implementation guidance. Unfortunately, development of guidance in some areas has been slow. A body of case law is developing (particular in relation to identification of outstanding natural features and/or landscapes) that will assist consistent implementation. Staff anticipate these findings will be included in any updates to the current guidance available from DoC.

An associated issue is the lack of consistent methodologies to implement parts of the NZCPS 2010 – the review identifies this as a particular issue for mapping and risk assessment relating to natural character, outstanding natural landscapes, and coastal hazards. Staff have found that the lack of guidance and agreed methodology in relation to identification and mapping of indigenous biodiversity is also a significant 'gap'. To date there has been no implementation guidance published on the biodiversity policy (NZCPS Policy 11).

Since the review report was published, guidance has been released on the coastal hazard policies. This will inform implementation of the coastal hazard policies in the RPS and PRCEP and other work undertaken under the Natural Hazards programme.

#### **4.4 Strongly polarised views on the implications of the Supreme Court decision on the New Zealand King Salmon case on NZCPS directive policies**

The Supreme Court decision<sup>3</sup> on the New Zealand King Salmon case was released in April 2014. It is the highest jurisdiction to have considered interpretation of the NZCPS, and as such its findings have been adopted by the lower Courts (Environment Court and High Court). A brief background to the case and findings is set out below.

##### **4.4.1 Supreme Court decision on the New Zealand King Salmon case**

The Supreme Court considered the application of two directive policies of the NZCPS – Policy 13 and Policy 15. These policies direct avoidance of adverse effects on areas of outstanding natural character and outstanding natural features and landscapes.

The Supreme Court found that:

- Decision-makers cannot undertake a broad overall or 'balanced' assessment against Part 2 of the RMA (purpose and principles), as the NZCPS has been developed in accordance with Part 2.

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<sup>3</sup> [2014] NZSC 38 Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd

- More prescriptive or directive policies are to be given greater weight in decision-making or when resolving the conflict between policies within a document (such as the NZCPS or RPS).
- The ‘avoid’ policies (for example, Policy 11, 13 and 15) contained in the NZCPS are so directive that they form an ‘environmental bottom line’.

A recent High Court decision on the PRCEP has confirmed this approach and also found that:

- The planning, growth and infrastructure policies of the NZCPS (Policies 6 and 7) are less prescriptive than the avoid policies, and no stronger or more directive than Policy 8 (aquaculture) which was considered in King Salmon.
- King Salmon can’t be distinguished from the PRCEP based on context.
- Context is relevant when considering whether an activity will have an adverse effect. However, the requirement to avoid is not contextual – it applies regardless of the circumstances.

#### **4.4.2 Findings of the NZCPS review in relation to the King Salmon decision**

The Review found there was wide interest in the interpretation and application of the directive policies of the NZCPS, and their interrelationship with other policies, particularly those relevant to integrated management and strategic planning for use and development.

There is a clear understanding that the directive policies in the NZCPS are aimed at protecting ‘the best of the best’, but views are strongly polarised on the implications of the King Salmon decision.

Views are polarised on the level of protection that is appropriate for indigenous biodiversity and outstanding natural character, natural landscapes and natural features and whether some activities are so important (or present such significant benefits) that adverse effects should not need to be avoided.

If adverse effects are not required to be avoided there are polarised views on matters such as who should make decisions about the type and effects to be allowed, and which RMA process should be used for such decisions (national direction, policy statements and plans, or resource consents).

The review recommends any further assessment should address integrated management rather than focusing on a particular sector (for example aquaculture) and suggests that a stakeholder process be used to consider contrasting views on these policies, and explore the potential for consensus.

## **5 Next Steps**

The review sets out areas for focus of future work (refer pages 50 and 51), but does not set out any clear actions or timeframes for future work to occur. Currently, there is no clear commitment from DoC (or any other central government agency) to undertake this work. In summary, these focus areas are:

- **Supporting strategic and integrated planning** - including better uses of non-statutory processes, for example the strategic spatial planning approaches used in the Hauraki Gulf process.
- **Directive policies** - including a detailed audit of on the ground implementation work that has been conducted to date and prioritising filling biodiversity information gaps and sharing biodiversity information between agencies.
- **Responding to uneven implementation** - a more concentrated focus of resources and support in areas where there are particular challenges could be considered (e.g. in Marlborough).
- **Work on implementation guidance and methodologies** – including prioritising work on developing consistent assessment methodologies for identifying outstanding natural character, natural landscapes and natural features.
- **Monitoring and reporting** - an approach to respond to the remaining monitoring and reporting requirements of Policy 28 needs to be developed.

Staff are attending a Coastal Special Interest Group meeting on 10 April 2018, where DoC will be presenting on the NZCPS effectiveness review and guidance, and other DoC workstreams. Staff anticipate further information on next steps will be provided at this time.

## 6 Implications for Māori

Tangata whenua have an important relationship with the coast and, as demonstrated through development of the PRCEP, a strong desire to be involved in decision-making in the coastal environment and implementation of the NZCPS. Similarly, Māori will have a keen interest in any proposals to amend or review the current NZCPS.

The review found that tangata whenua see the NZCPS as supporting their interests in decision-making on matters concerning the coastal environment, but good relationships between councils and tāngata whenua are critical to effective implementation.

As found in the Bay of Plenty region, the review notes that there can be financial constraints on tāngata whenua involvement in RMA and NZCPS decision-making, particularly for 'non-settled' iwi.

## 7 Council's Accountability Framework

### 7.1 Community Outcomes

Implementation of the NZCPS directly contributes to the Environmental Protection and Regional Collaboration and Leadership Community Outcomes in the council's Long Term Plan 2015-2025.

### 7.2 Long Term Plan Alignment

This work is planned under the Regional Planning activity in the Long Term Plan 2015-2025.



### **Current Budget Implications**

Implementation of the NZCPS is being undertaken within the current budget for the Regional Planning Activity in the Annual Plan 2017/2018.

### **Future Budget Implications**

Future work on implementing the NZCPS via the provisions of the proposed Regional Coastal Environment Plan and Regional Policy Statement is provided for in Council's Long Term Plan 2015-2025. Staff note that the budget does not include funding for a comprehensive marine spatial planning exercise such as that undertaken in the Hauraki Gulf.

Jo Noble  
**Senior Planner (RIN)**

**for Regional Integrated Planning Manager**

**19 March 2018**



**SUPPORTING DOCUMENT - Review of the effect of the  
NZCPS 2010 on Resource Management Act decision-  
making: Overview and key findings**





Receives Only – No Decisions

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Fiona McTavish, General Manager, Strategy & Science

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## Triennial Meeting Update Report

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### Executive Summary

The first Triennial Meeting for 2018 was hosted by Rotorua Lakes Council on 14 March 2018. Two matters from the agenda are highlighted in this paper as potentially having particular relevance to the work of Council. The full Triennial Meeting agenda has previously been provided to Councillors.

### Recommendations

That the Regional Direction and Delivery Committee under its delegated authority:

- 1 **Receives the report, *Triennial Meeting Update Report*.**
- 2 **Notes the content and recommendations of the attached Triennial Meeting report – *Climate Change: National and Local Initiatives (Appendix 1)*.**
- 3 **Notes the content of the attached Triennial Meeting report - *Collaboration Bay of Plenty (COBOP) update (Appendix 2)*.**

### 1 Introduction

This report provides information on two matters discussed at the recent Triennial Meeting held on 14 March 2018 of particular relevance to the Regional Council:

- Climate Change
- Community Outcomes Bay of Plenty.

The full agenda of the Triennial Meeting has previously been provided to Councillors.

### 2 Discussion on Climate Change issues

Attached to this Report is a report on climate change action planning that was presented to the 14 March 2018 Bay of Plenty Triennial (Mayors and Chair) Meeting. The report was requested via the Bay of Plenty Chief Executives meeting and it was

designed to provide an update of the work being carried out at a national level and across the Bay of Plenty. The report follows on from the previous report on climate change presented to the Triennial Meeting on the 4 December 2017 and it continues the discussion on climate change at a regional level.

Alongside the report, a presentation was made on the findings of the Bay of Plenty Community Carbon Footprint 2015/16 study undertaken by AECOM consultants. The presentation has previously been provided to Councillors. This presentation initiated a discussion on what it meant for the region and how should the numbers be used. The differences in district emission profiles - urban versus agriculture versus Kawerau industry – were noted. There was also some discussion on areas that may be harder for Local Government to address (such as agriculture) than others (such as waste minimisation and landfill gas capture).

In the discussion it was highlighted that the impacts of climate change raised concerns for councils as infrastructure providers. It presents a significant challenge for adaptation and it is important to 'start' the discussion with the community to provide a future focus and to get communities on-board overtime.

However the meeting also reinforced the point that a lot was being heard from Central Government (in a number of forums attended by Mayors/Chair). Local Government needs to know what the strategies are so we can understand them and engage with them. Alignment of local with central policy needs central policy to be established. The need to wait and see is somewhat balanced by the view that there is a desire to get onto developing local strategies.

### **3 Discussion on COBOP**

The report "Collaboration Bay of Plenty (COBOP) update" (attached as appendix 2) provided an update to the Triennial Meeting on the activities within the COBOP structure. The Update Report covered three areas:

1. Regional Leadership Forum meetings
2. Action Clusters Update
3. New faces to COBOP in 2018

Under heading 1 above, a key meeting was the first COBOP Leadership Forum for the year. This Forum held on 26 February 2018 focused on the new Government's priority areas – the first 100 days – and how COBOP agencies could engage with these priorities. A key point made was that the new government is very different, and we will need to change how we operate to engage constructively.

It was also referenced that the focus of Central Government won't be achieved through the delivery of services by one agency alone. A whole of government entity, like COBOP, for local solutions is the right way forward. COBOP can be used to bring together the right people to ensure there are local solutions, and that these are supported.

### **4 Implications for Māori**

For both these topic areas Council will need to consider what implications for Māori there are as work progresses. For Climate Change this will occur through the action planning process and LTP considerations. The proposal for a FTE resource to

progress adaptation conversations with local communities will also involve working with Māori.

The Central Government agencies within COBOP - as stakeholders connected to Councils through this forum - provide a further avenue to connect on issues of relevance to Māori. This will be particularly important as the new Government's policy agenda becomes more apparent.

## **5 Council's Accountability Framework**

### **5.1 Long Term Plan Alignment**

The work of facilitating discussion on the issue of climate change is being undertaken within the current budget for the Regional Planning Activity in the Annual Plan 2017/18. Climate change has been discussed within the Long Term Planning process and the current position is that any additional funding that flows from an action plan process would need to be considered in Year 2 of the LTP through the annual planning process. Draft LTP submissions have been received on climate change for consideration by Council.

COBOP remains a key element of engaging with local authority and Central Government agency stakeholders. Budget provision for this engagement is spread across Council and is mainly staff time.

Stephen Lamb  
**Natural Resources Policy Manager**

**for General Manager, Strategy & Science**

**26 March 2018**





# **APPENDIX 1**

## **Triennial Meeting Report - Climate Change: National and Local Initiatives**





**Report To:** Bay of Plenty Triennial Meeting

**Meeting Date:** 14 March 2018

**Report From:** Mary-Anne Macleod, Chief Executive, Bay of Plenty Regional Council

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## Climate Change: National and Local Initiatives

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### Executive Summary

Climate change is a strategic issue for the City, District and Regional councils of the Bay of Plenty. Of particular interest when developing responses to climate change is the policy position being developed by Central Government. The new coalition Government has a specific focus on climate change and there are a number of initiatives being implemented. This report identifies these and notes that they are mostly in the development/investigation stage.

At the same time there are a number of local initiatives that are progressing. A number of councils are starting action planning and there are other organisations and groups looking at progressing the understanding climate change and how New Zealand will need to respond and adapt.

As part of considering this Report it may be informative for the Triennial Meeting members to share their respective Long Term Plan positions in relation to climate change planning and new initiatives.

### 1 Recommendations

**That the Triennial Meeting:**

- 1 Receives the report, *Climate Change: National and Local Initiatives*.**
- 2 Notes the range of initiatives being progressed nationally and locally on the issue of climate change.**

### 2 Introduction

At the last Triennial Meeting (December 2017) discussion centred around the role of local authorities in addressing the challenge of climate change. The resolution of the meeting was to support implementation of Phase 1 action plans. This focussed on the development of community resilience through asset and infrastructure decisions and on the idea of "house in order" projects.

A key reason for the position that was adopted is that many of the policy drivers – a number of which are significantly influential – are the responsibility of Central Government (for example the Emissions Trading Scheme - ETS).

This report looks at what initiatives are occurring at a national level – particularly as part of the Government’s 100 days programme – and also at the local level. There is the potential for there to be opportunities for the Bay of Plenty arising out of Central Government’s new approach to climate change however these are not yet apparent. Over the next 3 to 6 months the climate change position of the new Government will become clearer and local government in the Bay of Plenty will be able to respond as appropriate.

### 3 National Initiatives

#### 3.1 Central Government

The lead Government agency for climate change is the Ministry for the Environment. This Ministry provides advice and support to the Minister for Climate Change. This Minister has the responsibility to develop Central Government’s climate change policy.

The new Government has instigated a 100 days programme (from the formation of the coalition Government) to kick start the implementation of a new national policy environment. The following summarises the 100 day programme as it relates to climate change. Of note is that there is limited implementation because this is substantially a new Government approach.

- Zero Carbon Bill (2050 target, Climate Change Commission) – May/June 2018. Of note here is the question of whether any aspect of adaptation is included within the proposed legislation
- An Interim Committee to be established while the Bill is being progressed – mid-2018
- Transition to a low carbon economy – Productivity Commission inquiry report expected July 2018
- NZ Emission Trading Scheme – intention to consult in late-2018
- International Carbon Markets Project – explore international carbon units options to supplement New Zealand’s commitment
- Biological Emissions Reference Group - report by July 2018
- Climate Change Adaptation Technical Working Group final report April 2018
- Climate Change Forestry Reference Group – forest carbon assessment
- Green Investment Fund – private sector support for green initiatives including those related to addressing climate change
- Regional Development Fund (\$1Billion) – has climate change as one of its parameters
- “A Billion trees” – policy to deliver increased rates of tree planting, estimated to mean an increase of 500,000ha of forestry.

In terms of implementation the Government has released two guidance documents relating to sea level rise and coastal hazard management:

- Guidance note on the NZCPS coastal hazard policies (DoC)
- MfE guidance on coastal hazards and climate change.

Regional Council staff are currently reviewing these for their impact on current policy/operations and will be looking to discuss any impacts or changes with district/city council staff.

### **3.2 National Groups and Organisations**

Across a number of areas there is interest in aligning work programmes and agency agendas with climate change as a strategic issue.

Local Government New Zealand (LGNZ) has developed a work programme (see Appendix 1) and is addressing climate change in a number of work streams including coordinating the Local Government Leaders Climate Change Declaration (2015, reissued 2017) and developing the LGNZ 2050 Local Government Position Statement on Climate Change (June 2017). One key objective is to establish an explicit mandate under the Local Government Act to consider how decisions affect climate change outcomes.

Society of Local Government Managers (Sector Policy Outlook Working Party) has considered how climate change should be included within that organisations work. This group also raised the Carbon Zero Bill as an opportunity to establish a mandate – particularly for adaptation.

Local and Regional councils has been asked to contribute data and information to a number of pieces of national research – all of which are broadening the understanding of the impact of climate change. For example, this includes a LGNZ survey of infrastructure vulnerable to sea-level rise.

### **3.3 Climate Change Adaptation Technical Working Group**

This expert Group is working nationally to deliver a report in April 2018 to provide advice to the Government and specifically the Minister for Climate Change on the issues around climate change adaptation. That Report is currently in draft and targeted feedback is being sought. This document will provide the latest thinking on how to progress climate change adaptation as well as an implementation programme of priority actions. It will provide critical input into national adaptation planning and policy.

### **3.4 Parliamentary Commissioner for the Environment – Report on Climate Change Act**

The Government is currently considering a Climate Change/Zero Carbon Bill. The previous PCE, Dr Jan Wright, had recommended this in her 2017 report *Stepping Stones to Paris and beyond*. This included the idea of establishing a commission. The Commissioner has undertaken follow-up work on this issue and a report is due out imminently.

## **4 Bay of Plenty Local Government Initiatives**

### **4.1 Carbon Footprint study**

A Bay of Plenty 2015/16 community carbon footprint report has been completed for the region and has been provided to all councils. The report expands on work initiated by Tauranga City Council. It uses best practice methods to quantify and identify carbon emission sources for all Bay of Plenty districts so that local councils and communities can start to understand greenhouse gas emission profiles.

Some key points from the report are:

- Per capita carbon emissions across the region are below the national average.
- 2015/16 carbon emissions were higher than average for some rural districts, mainly due to forest harvest timing. The overall carbon balance of the Bay of Plenty forestry

sector is expected to be relatively neutral over a 50-100 year planting and harvest cycle.

- Local emissions sources are generally proportional to the settlement patterns and economic activities that currently support local jobs and livelihoods. This includes farming and forestry in rural areas such as Ōpōtiki and Western Bay of Plenty. For urban areas such as Tauranga City, transportation and energy consumption associated with urban living, industrial activities and port traffic are key sources.

A presentation on this report by its authors will be provided to the meeting.

#### **4.2 Council activities**

Staff from the region's local authorities have been connecting and building an informal "climate change" network. There have been a range of forums where climate change has been discussed – such as the COBOP Leaders Forum (26 February 2018). These have all helped to inform the thinking around the climate change topic.

The following highlights some of the current climate change planning activity amongst the Bay of Plenty councils. Note this does not include the myriad of operational activities that are part of councils' business as usual that contribute to addressing climate change.

##### **Tauranga City Council:**

- Continuing with sustainability strategy (which includes climate change). The planned phases are:
  - Create a Strategy (February – July 2018)
  - Develop Action Plans (April – November 2018)
  - Implementation (July – ongoing).
- A citywide community carbon footprint was prepared for 2015/2016, which will be used to inform the environment strategy and action plans.
- Council is embarking on a significant project to better understand risk and resilience issues across the city – specifically as they apply to infrastructure and urban planning (including natural hazards exacerbated by climate change). Project costs of \$1.7 million have been budgeted in the first three years of the draft Long Term Plan 2018-2028.

##### **Whakatāne District Council:**

- Whakatāne District Council made a decision (December 2017) to pursue a Climate Change Action Plan.
- The timeline is to develop this plan by June 2018 (Phases: research, filling information gaps, drafting).

##### **Rotorua Lakes Council:**

Rotorua Lakes Council has joined the Global Covenant of Mayors (GCOM), and will meet reporting/compliance requirements over the next three years including:

- Council has built on the Rotorua specific community footprint information (initiated by BOPRC) to meet the baseline requirements of GCOM.
- An organisational inventory of carbon emissions is being initiated.

- A climate change risk assessment will be carried out and will inform development of an adaptation action plan including community engagement.

*Note that the climate change topic area is mandated by the Rotorua Sustainable Living Strategy.*

### **Western Bay of Plenty District Council**

- Development of a Climate Change Action Plan has been budgeted for, and included in the work programme for 2018/19.
- This work will run in parallel with the review of Council's Environment Strategy.
- Council has adopted a Coastal Erosion Responses Policy, and intends to undertake assessments of public assets that are vulnerable to inform budget decisions. \$2.2 million for District-wide erosion protection works has been budgeted in the LTP (\$220,000 a year).

### **Regional Council:**

- Discussions on transport emission targets.
- Scoping action planning, including a "house in order" component.
- Consideration through the LTP process of a FTE to be focussed on community resilience (assisting local conversations).
- Review of Guidance documents on sea-level rise and coastal hazard management (see above).

### **4.3 Long Term Plan processes**

All local authorities are consulting or about to start consulting on their Long Term Plans. It is clear that climate change is an issue both for councils and for the community. This means that there will be submissions on this topic area. It is also likely that these will be requesting increased resourcing to increase the attention being given to the various facets of climate change. Each council will address these submissions against their particular context and priorities.

### **4.4 Research and building understanding**

There are also research organisations undertaking various studies to help inform policy development such as SCION undertaking a Rangitāiki Catchment Climate Change Study to assist in adaptation planning, as a part of Ministry for Primary Industries (MPI's) *Sustainable Land Management & Climate Change Research Programme*. The forestry sector will be an important part of the response to climate change and a forestry sector group is already looking at opportunities within the Bay of Plenty landscape.

There is also ongoing research targeted at better understanding the coastal flooding and inundation risks related to the settlements surrounding the shoreline of Tauranga Harbour.

The Deep South National Science Challenge is ongoing and has a number of research related to climate change. This includes a whānau of Omaio joining forces with NIWA researchers to explore the viability of climate-resilient, high-value crops for the rohe. More information can be found on its website <http://www.deepsouthchallenge.co.nz/>

There are a number of forums and conferences being delivered to respond to the desire for more information and understanding – such as the Redtide Climate Action Summit planned for May 2018 (Te Whanau a Apanui, Te Kaha, for more information see <http://pacificpeoplespartnership.org/pacific-networking-conference/>).

Stephen Lamb  
**Natural Resources Policy Manager**



# Appendix 1 LGNZ Climate Change Work Programme

## Climate change project on a page. We are. LGNZ.

Climate change will affect us all during our lifetimes. Between 1990 and 2015, New Zealand's net carbon emissions have risen by 64%.

All local authorities (city, regional, district and unitary councils) are at the frontline of climate change adaptation and have a role to play in mitigation. Action on climate change requires proactive collaboration between central and local government.



### PROJECT OUTCOMES SOUGHT:

1. An evidence base to support a comprehensive framework for risk reduction and/or retreat.
2. A local government view on emission reduction targets and how to achieve these for New Zealand.
3. A central government/local government working party on climate change adaptation.

### CLIMATE CHANGE ACTION

Climate change action has three components:



#### 1. Actions to reduce emissions (mitigation).



#### 2. Planning and actions at the national and local level to support public safety and effective adaptation.



#### 3. Limiting or removing pressure on systems affected by climate change.

### A COLLABORATIVE APPROACH

The Local Government Position Statement on Climate Change calls for action by both local government and central government.

#### Local government will:

1. Collaborate to improve the effectiveness of land use, service delivery and planning.
2. Incorporate climate change implications into urban development, planning, infrastructure and land-use decisions.
3. Take an all hazard approach to managing risks, and build in the effects of climate change to inform decision making.
4. Factor in the impacts of climate change on water security.

#### What local government requires of central government

1. A national campaign to raise awareness of climate change.
2. An explicit mandate under the Local Government Act to consider how decisions affect climate change outcomes.
3. A clear statement on responsibilities for adaptation actions, including fiscal responsibility.
4. A collaborative and joint response to climate change, including a clear pathway to a low carbon economy.

### KEY WORKSTREAMS



Mitigation	Adaptation
<p>Stocktake of and case studies on local government sector actions to reduce emissions.</p> <p>Sector position on mitigation options for local government to take, including response to Productivity Commission's Issues paper.</p>	<p>Natural hazards decision making Legal toolkit.</p> <p>Overview of at risk local government infrastructure and assets in New Zealand, and quantification of replacement value.</p> <p>Review of the state, value and management of river control, flood protection and drainage schemes managed by regional authorities.</p> <p>Snapshot of impacts of extreme weather and flood events in New Zealand communities and adaptation options paper.</p>

### SUPPORTING WORK

The Local Government Position Statement on Climate Change and Local Government Leaders Climate Change Declaration outline local government's acknowledgement of the important and urgent need to address climate change. LGNZ has also produced a catalogue that sets out local government's climate change roles and responsibilities.



LGNZ has endorsed the Parliamentary Commissioner for the Environment's call for a cross-party response to climate change and the establishment of an independent climate change Commission. The sector will contribute to the Productivity Commission's Inquiry into New Zealand's transition to a low-emissions economy.





## **APPENDIX 2**

# **Triennial Meeting Report - COBOP March 2018 Network Update**



**1) Regional Leadership Forum meetings: central and local government**

- The first COBOP Regional Leadership Forum (RLF) for 2018 was held on February 26<sup>th</sup> at Rotorua Lakes Council. The focus of which is on connection points for local/central government post-election with specific reference to the Labour led government first 100 days program, and consideration of COBOP's direction considering the new government. Areas covered included housing, the families package, climate change, health, tertiary education (free fees) changes. Also discussed, the recently released [Provincial Growth Fund](http://www.mbie.govt.nz/info-services/sectors-industries/regions-cities/regional-economic-development/pdf-image-library/provincial-growth-fund.pdf) (<http://www.mbie.govt.nz/info-services/sectors-industries/regions-cities/regional-economic-development/pdf-image-library/provincial-growth-fund.pdf>) and how COBOP could be well placed to act as a regional support or catalyst for local/district/city project ideas.
- Past RLF presentations are [available here](http://www.cobop.govt.nz/leadership-forum) (<http://www.cobop.govt.nz/leadership-forum>) on the COBOP website.
- Please contact the [COBOP Coordinator \(samepage101@icloud.com\)](mailto:samepage101@icloud.com) for RLF summary notes from this February forum.

**2) Action Clusters Update:**

*Practical working groups devolved from key challenges and opportunities agreed on by the COBOP RLF in 2017.*

**Community Safety**

- November 2017 the group confirmed objectives although has been paused until a leadership/chair role for the group is established.

**Housing and Health:** The objectives of this cluster are:

1. To provide leadership and coordination for healthy housing work,
  2. To improve the health of vulnerable communities and families/whanau in the region,
  3. and to reduce health care costs
- An Empowering Communities Workshop was held on 14<sup>th</sup> November in Rotorua with community representatives, agencies and landlord representatives. The task of the workshop was to explore how to build the capabilities and resources to enable communities to solve their healthy housing issues themselves. Opportunities also identified for a clear set of wider actions for Lakes and Bay of Plenty Healthy Housing Forum and the healthy housing sector to work on. The forum is now taking some the recommended actions from the Workshop and preparing a proposal for the COBOP Steering Group to consider.
  - February saw an opportunity for the housing forum to be involved in a Ministry of Health study on exploring primary prevention practices. This will add to three other case studies on PHU practice nationally and enable COBOP to give insight to the collaborative process undertaken by the forum so far.
  - The 2018 housing stocktake was released on 12 February (<https://www.beehive.govt.nz/release/stocktake-finds-housing-crisis-deeper-more-entrenched>). The Hon Phil Twyford, Minister of Housing and Urban Development has made comments of particular relevance to our region during the media conference on the day of the release, pertaining to addressing substandard housing in a number of areas. Specific areas mentioned were Northland and the Bay of Plenty. More information to come.
  - At the last meeting (Feb 27) Darren Toy (Regional Manager for Housing New Zealand) attended and gave us the opportunity to set up a meeting with the Hon. Phil Twyford, Minister of Housing and

Urban and Development. Unfortunately, the meeting did not go ahead. However, the Minister's office is now aware of the group which may provide future opportunities.

- The Health Homes Guarantee Bill (No 2) was passed into law late last year. The Residential Tenancies Act 1986 was amended and now has provisions for the development of minimum standards related to heating, insulation, ventilation, moisture ingress, draught-stopping and drainage. The Ministry of Business, Innovation, & Employment will be leading this work and a consultation process will be taking place this year. More information will become available on the MBIE website - <http://www.mbie.govt.nz/info-services/housing-property/housing-quality>
- [Beacon Pathway \(http://www.beaconpathway.co.nz/\)](http://www.beaconpathway.co.nz/) are hosting a conference at the end of March in Wellington with a strong emphasis on healthy homes. MBIE will be talking on the Healthy Home Guarantee Act. More information about the conference can be found here: <http://ecodesignadvisor.org.nz/conferences/>
- BOPDHB have also put together a newsletter update on their Healthy Housing Initiative. November update can be [found here \(http://www.cobop.govt.nz/vdb/document/568\)](http://www.cobop.govt.nz/vdb/document/568) and people can subscribe to this update through [James.Scarfe@bopdhb.govt.nz](mailto:James.Scarfe@bopdhb.govt.nz)
- *Agencies include: EECA, Toi Te Ora Public Health (Chair), BayTrust, Ministry of Social Development, Te Puni Kokiri, Dept of Internal Affairs, Kawerau District Council, Whakatane District Council, Tauranga City Council, Rotorua Lakes Council, Taupo District Council, BOP Regional Council, WBOP District Council, Lakes and BOP DHB's. More information here: [http://www.ttophs.govt.nz/healthy\\_homes\\_housing\\_forum](http://www.ttophs.govt.nz/healthy_homes_housing_forum).*

#### **Workforce Development/Employment:**

- The final draft of the Bay of Plenty Labour Market Strategy is close to completion and will be forwarded through the COBOP network and discussed at the next RLF in July.
- The RLF identified this as a key piece of work to bring together initiatives across the region that could be upscaled or further supported through the Provincial Growth Fund or through other avenues.
- [BOPTI \(http://www.bopti.co.nz/\)](http://www.bopti.co.nz/) continue to lead this work. Key contact: Brendon Gardner at MBIE [Brendon.Gardner@mbie.govt.nz](mailto:Brendon.Gardner@mbie.govt.nz)

#### **Environmental Sustainability:** The objectives of this cluster are:

1. To lead by example as agencies in environmental and sustainability policy and practice
  2. To enhance community and Iwi capacity in their endeavours towards improved environmental outcomes,
  3. To recognise and respond cohesively and collaboratively to environmental and sustainability challenges and opportunities to the region.
- This cluster met on 27<sup>th</sup> February to stocktake where the cluster is at following movement and discussion on climate change.
  - The cluster has decided to focus on climate change, rather than the whole scope of environment and sustainability and will be looking to reposition with new representation across local and central government. This could also include other agencies involved in climate change with a regional focus (e.g. private sector, NGO). This group will need to align and work with Bay of Connections work where possible for maximum environmental and social impact.
  - Agencies have contributed to a resource for community and care groups called "Helping Hands" led by BOPRC. This resource will help community/care groups to identify various funding and support sources in the region from multiple agencies, in one place. Electronic link and limited hard copies available soon. Through this cluster, funding streams across Councils, central government agencies and philanthropy were identified that previously had not made a connection.

- *Agencies (at present) include: Toi Te Ora Public Health, Te Puni Kokiri, Kawerau District Council, Whakatane District Council, Tauranga City Council, Rotorua Lakes Council, BOP Regional Council (Chair), WBOP District Council, Dept of Internal Affairs and the Dept of Conservation (co-Chair). The cluster has also connected with SBN BOP and BayTrust regarding cluster objectives and connections.*

**CONNECT Regional Prosperity:** The objectives of this cluster are:

1. To strengthen regional business relationships
  2. To identify and act on opportunity in the regional business arena
  3. To promote regional business success
- CONNECT's met on March 6<sup>th</sup> highlighting and discussing the work of tertiary institutions across the BOP.
  - Key areas for further discussion in 2018 include: tourism; transport; climate change and sustainable business; housing and health (workforce and employee focus).

A [summary of all clusters](#) for 2017 is located here.

### 3) New faces to COBOP in 2018

- Replacing Brian Pointon (BOPDHB) on his retirement is Roimata Timutimu as Portfolio Manager, Population Health. Her contact details are: [Roimata.timutimu@bopdhb.govt.nz](mailto:Roimata.timutimu@bopdhb.govt.nz) DDI (07) 579 5131 or through Trish Solomon at (07) 579 8556. The core elements of her role as Portfolio Manager, Population Health will include: Tobacco Control, Rheumatic fever, prevention, Housing and health, Green prescription, Pacific health, Breast and cervical screening, Whanau Ora.
- Rebecca Scott (Fire & Emergency NZ) will be on secondment to Wellington as the National Strategy and Performance Manager for 2018. Dean Latus will take Rebecca's place on the COBOP RLF, representing Ron Devlin. Dean's contact details are: [Dean.Latus@fireandemergency.nz](mailto:Dean.Latus@fireandemergency.nz)
- Michelle Wellington (Ministry of Youth Development) is also on secondment to this year into a National Partnerships Advisory role for Oranga Tamariki. Her replacement, Kim Vercoe (Napier based) will be attending COBOP in her place. Contact details: [Kim.Vercoe001@msd.govt.nz](mailto:Kim.Vercoe001@msd.govt.nz)
- Sharon Kletchco (Lakes DHB) will also be replaced on the COBOP RLF by Karen Evison, representing CE Ron Dunham. Contact details: [Karen.Evison@lakesdhb.govt.nz](mailto:Karen.Evison@lakesdhb.govt.nz)

### 4) Further information

- [About COBOP](http://www.cobop.govt.nz/about-us) or <http://www.cobop.govt.nz/about-us>
- To subscribe to COBOP e-news (monthly) contact the [COBOP Coordinator](mailto:samepage101@icloud.com) ([samepage101@icloud.com](mailto:samepage101@icloud.com))
- Or contact the COBOP Chairperson, Geoff Williams (Rotorua Lakes Council) [Geoff.Williams@rotorualc.govt.nz](mailto:Geoff.Williams@rotorualc.govt.nz).



[www.cobop.govt.nz](http://www.cobop.govt.nz)







**Receives Only – No Decisions**

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Sarah Omundsen, General Manager - Catchment Management (Temporary)

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## **Brown bullhead catfish - incursion update**

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### **Executive Summary**

Brown bullhead catfish were discovered in Lake Rotoiti in March 2016. Previously a number of reports of catfish had been received but surveillance did not detect their presence in Lake Rotoiti or any of the Rotorua Te Arawa Lakes.

Since the discovery significant investment has been dedicated to surveillance, control, and supporting research to better understand the potential impact an established population would have, better understanding of their behaviour and movement, and looking at innovative solutions for detection, containment and control.

Initially the population was largely confined to Te Weta bay but recent work has identified a significant increase in both numbers and distribution. Research and innovation continues to be considered essential to support the programme.

### **Recommendations**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1. Receives the report, Brown bullhead catfish - incursion update;**

### **1 Background**

Brown bullhead catfish were first introduced in 1877 to the Auckland region for reasons unknown. Since then their distribution has spread to a number of sites primarily around the North Island. Importantly for the Bay of Plenty they are currently present through the Waikato River system including Lake Taupo.

The discovery in Lake Rotoiti in 2016 was the first confirmed incursion in the Bay of Plenty region. A number of reports have been received in the past including, a live catfish being presented to the Department of Conservation in 1993, and a large dead catfish being found on the shore of Okawa Bay in 2009. Surveillance undertaken in response to these sighting did not confirm catfish presence in the lake.

## 2 Biology and impacts of brown bullhead catfish

Catfish are opportunistic predatory scavengers and eat a diverse range of food. Generally speaking they are nocturnal bottom feeders. They are considered the single biggest threat to koura currently present in New Zealand. They prefer slow flowing weedy habitat which is typical of many of the bays at the western end of Lake Rotoiti.

The potential impact of catfish varies from predation on species of significance to competition for food and space with other desirable species.

Catfish mature at approximately 200mm in length and rarely exceed 400mm in size or five years in age. They are prolific spawners and can produce thousands of eggs (6000+) in a single spawning event. Adults guard eggs and juvenile catfish from predators which is unusual behaviour for fish species.

Catfish are tough, they can tolerate a range of temperatures, poor water quality, low oxygen environments and can survive extended periods out of water (up to 48 hours).

## 3 Surveillance and control results

Since the initial detection significant effort has focussed on identifying where catfish are present and the size of the incursion in Lake Rotoiti.

Surveillance and control is done via the systematic setting of fyke nets (live capture nets). Since March 2016 netting has also been undertaken at the lakes listed below, no catfish were detected:

- Lake Rotorua.
- Lake Okataina
- Lake Rotoehu
- Lake Rotoma
- Lake Tarawera
- Lake Okareka

The remaining Rotorua Te Arawa Lakes and the Kaituna River will have surveillance completed in the near future.

The tables below summarise the results from work on Lake Rotoiti:

### 30 March 2016 – 30 June 2016

Site	Nets set	Catfish caught	Percentage of total catch	Catch per unit effort
<b>Te Weta Bay</b>	290	381	97.44%	1.31
<b>Northern shore</b>	482	9	2.30%	0.02
<b>Okere Inlet</b>		1	0.26%	
<b>OTHER</b>		0	0.00%	
<b>TOTAL</b>	<b>772</b>	<b>391</b>	<b>100.00%</b>	<b>0.50</b>

Netting was undertaken over 34 nights. Results showed the population was largely contained within Te Weta bay. A single fish was caught in the Okere Inlet and as water

temperatures cooled a small number of fish were caught just outside Te Weta bay (Northern shore).

### 1 July 2016 – 30 June 2017

Site	Nets set	Catfish caught	Percentage of total catch	Catch per unit effort
Te Weta Bay	914	3227*	98.62%	3.53
Okawa Bay	146	6	0.18%	0.04
Okere Inlet	390	19	0.58%	0.05
Otaramarae	114	2	0.06%	0.02
Northern Shore	292	4	0.12%	0.01
Southern Geothermal	234	14	0.43%	0.06
OTHER	220	0	0.00%	0.00
<b>TOTAL</b>	<b>2310</b>	<b>3272</b>	<b>100.00%</b>	<b>1.42</b>

\* includes 1227 juvenile catfish from a single net

Netting was undertaken over 68 nights. While the majority of the population remained within Te Weta bay, small numbers of catfish were caught at other sites around the lake.

### 1 July 2017 – 31 December 2017

Site	Nets set	Catfish caught	Percentage of total catch	Catch per unit effort
Te Weta Bay	435	987	95.83%	2.27
Okawa Bay	55	4	0.39%	0.07
Okere Inlet	117	21	2.04%	0.20
Otaramarae	10	0	0.00%	0.00
Northern Shore	95	7	0.68%	0.07
Southern Geothermal	108	11	1.07%	0.10
OTHER	10	0	0.00%	0.00
<b>TOTAL</b>	<b>830</b>	<b>1030</b>	<b>100.00%</b>	<b>1.24</b>

Fishing was undertaken over 22 nights showing similar trends to previous catches. A catch of 587 juveniles was caught from Te Weta bay in late December.

### 1 January 2018 – current

Site	Nets set	Catfish caught	Percentage of total catch	Catch per unit effort
Te Weta Bay	28	6885	68.27%	245.89
Okawa Bay	48	270	2.68%	5.62
Okere Inlet	101	2382	23.62%	23.58
Otaramarae	12	3	0.03%	0.25
Northern Shore	61	434	4.30%	7.11
Southern Geothermal	57	76	0.75%	1.33
OTHER	13	35	0.35%	2.69
<b>TOTAL</b>	<b>320</b>	<b>10085</b>	<b>100.00%</b>	<b>32.52</b>

Catches since the beginning of the year are showing an alarming trend including:

- Large catches of juveniles across a much wider area are common.
- Large catches outside of Te Weta bay, particularly through the Okere Inlet.
- Large catches inside Te Weta bay including 6885 in one night, 4894 in one net.
- Catfish being caught on western side of the Ohau wall, and two catfish have been caught in the lower parts of the Ohau channel.

Majority of the fish are juvenile (40 – 80mm) and would have spawned in late 2017.

## **4 Innovation and research**

A number of meetings have been undertaken with key stakeholders and researchers to help develop innovative options to manage the issue and identify key bits of research to help increase our likelihood of success.

Initially the majority of the population was confined within Te Weta bay. A decision was made to install a cordon at the entrance of the bay to prevent the population leaving. This required a variation to an existing resource consent and was installed in April 2017.

An acoustic tagging trial is currently being planned and will begin later in 2018. A number of receivers will be strategically placed around the lake. Acoustic tags will be implanted in 30 large catfish, their movement around the lake will be monitored for a year. Movement patterns will be closely analysed and the results will help us more effectively target them but having a better understanding a seasonal utilisation of the lake.

eDNA, a technology that uses DNA extracted from water samples will be developed over this year to help determine if a species is present in a water body. Once developed this technology should make detecting incursion easier and less time consuming.

A number of catfish have been provided to the University of Waikato for stomach content analysis and stable isotope analysis. This information will show what catfish are feeding on and help determine the impact they could have on the wider lake ecosystem.

Other options for research that are being considered include the use of acoustic or electric barriers or attractants, the potential to develop a more effective pheromone based bait, and avenues to get more community involvement in the programme. As new ideas arise they will be considered against the current options.

## **5 Future management of catfish**

The Regional Pest Management Plan is currently being reviewed and a decision will need to be made in the near future on how catfish will be categorised and the level of investment provided to control and the prevention of spread. This decision will be largely determined by cost-benefit analysis but will also be guided by public and political sentiment.

A meeting with key stakeholders and researchers was held on the 20<sup>th</sup> of March 2018. From this meeting it was clear there are still no 'silver bullets' for catfish and that current fishing effort will not contain the catfish population. Major concern was noted at the significant catches near the Marama Resort complex just below the Ōhau Channel weir and the obvious risk of fish getting into Lake Rotorua. Key actions include:

- Resurveying Lake Rotorua in the vicinity of the Ōhau Channel to check whether fish have made it past the weir
- Intensively net the Ohau Channel to reduce catfish numbers in the vicinity and hopefully decrease the pressure for catfish to disperse up over the weir
- Trial the use of pheromone baits, developed for perch, to try and increase catfish capture rates
- Trial electric fishing targeting juvenile catfish (note, we have shown that electric fishing was not effective at controlling adult fish in Lake Rotoiti)
- Investigate the potential of bubble curtains or electric barriers as a means of preventing catfish passage over the weir
- Prioritise the development of eDNA as a surveillance tool
- Investigate acoustic attractants
- Investigate the use of long-finned eels and brown trout biocontrol.

Improving community engagement and involvement was also a key theme of the workshop but will need more work to consider where the community can add meaningful value and the health and safety implications of operating in and around water.

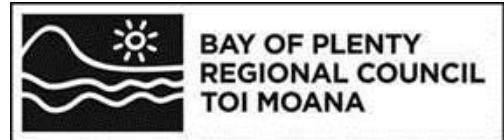
The University of Waikato will also do an initial desktop analysis of the potential implication to Lake Rotorua regarding nutrients should catfish become established.

Shane Grayling  
**Biosecurity Team Leader**

**for General Manager - Catchment Management (Temporary)**

**22 March 2018**





**Receives Only – No Decisions**

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Sarah Omundsen, General Manager - Catchment Management (Temporary)

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## **Catchment Programme Six Month Reports - Rotorua Te Arawa Lakes and Tauranga Moana**

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### **Executive Summary**

Presented here are the Six Month Reports for two programmes of work within the Regional Council: the Six Month Report for the Rotorua Te Arawa Lakes Programme and the Six Month Report for the Tauranga Moana Programme.

The report for the Rotorua Te Arawa Lakes Programme was adopted by the Rotorua Te Arawa Lakes Strategy Group at their meeting on 9 March 2018 for submission to the Minister for the Environment as per the requirements of the funding Deed. The Programme report outlines the work of the Programme on all lakes within the Programme but with particular focus on the four lakes that receive Crown Funding, especially Rotorua. The bulk of the work in the Lakes Programme is currently focussed on the implementation of the Integrated Framework for Lake Rotorua.

The report for the Tauranga Moana Programme summarises programme work carried out by Bay of Plenty Regional Council, Western Bay of Plenty District Council and Tauranga City Council during the first six months of the 2017/18 year. Most projects agreed in the annual work plan have been achieved or are on track to be achieved.

### **Recommendations**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Catchment Programme Six Month Reports - Rotorua Te Arawa Lakes and Tauranga Moana;**
- 2 Receives the Rotorua Te Arawa Lakes Programme - Six Month Report 2017-2018.**
- 3 Receives the Tauranga Moana Programme – Six Month Report 2017-2018.**

## 1 Purpose

To provide the Regional Direction and Delivery Committee with a summary of work carried out in the Rotorua Te Arawa Lakes Programme and the Tauranga Moana Programme during the first six months of the 2017/18 year.

## 2 Rotorua Te Arawa Lakes Programme Six Month Report

The full six month report is attached at Appendix One. A brief update on the main aspects of work in the Programme over the last six months is provided by lake catchment below.

### 1.1 Lake Rotorua

- Appeals were received on the Commissioners decision on Proposed Plan Change 10. The Environment Court led appeal process is now underway.
- The Advice and Support Service related to the implementation of Plan Change 10 has excellent uptake. 80 of an estimated 95 properties over 40 hectares in the Lake Rotorua catchment are enrolled in the service. A further 49 properties, under 40 hectares, are also enrolled in the service. A focus of the service has been ensuring the Nutrient Management Plans are reworked to include the changes required to account for the decisions of the Commissioners on Plan Change 10.
- The Gorse Scheme continues to secure deals on large tracts of gorse land in the Rotorua catchment with 83 hectares of conversion to trees secured and a further 40 hectares close. These conversions are largely on multiple Maori owned land. Our Gorse Implementation Policy developed in 2013 is currently under review and will be presented to the Strategy Group in June for consideration.
- Implementation of Round One of the Low Nitrogen Land Use Fund was undertaken, further information is included in the Integrated Catchment Update included in this agenda.

### 1.2 Lake Okareka

- Work has continued on the Lake Okareka Land Use Change project the Rotorua Te Arawa Lakes Strategy Group approved at the end of 2016. 40% of relevant properties have now had their Rule 11 Benchmark audited and are in compliance. Work is scheduled to complete auditing of the remaining 12 properties. All landowners with sufficient land in the catchment have been offered an opportunity to talk with the Regional Council about land use change to reduce their nutrient footprint. Staff are currently negotiating with landowners who have indicated an interest in this and are confident further land use change can be secured in due course.
- Staff have been working over the spring/summer period to deal with the high lake levels at Lake Ōkāreka. This involves maximising Lake Ōkāreka outlet flows (up to 500 L/s) into the Waitangi Stream while, as far as possible, avoiding and mitigating erosion downstream of the discharge.  
  
Heavy rain over the period has presented challenges by further increasing lake levels preventing staff from lowering the lake to within the control range. Staff have undertaken additional erosion protection works in order to protect



property adjacent to the stream. This remains a key factor for determining increased outlet flows over an extended period of time.

Staff are working on engineering design to install permanent erosion protection in the stream and a medium term project is being considered to automate the control of the outlet which is currently changed only through manual adjustment of the valve.

### **1.3 Lakes Rotoehu, Rotoiti and Rotoma**

- The catfish incursion on Lake Rotoiti remains a concern for the Lakes Programme and work is underway to respond to a recent significant spread.
- There are low levels of hornwort present within Lake Rotoiti this year and operation of the weed harvester is not warranted. The levels of weed will be reassessed in April to determine feasibility.
- The contract for the new wastewater treatment plant for the remaining Rotoma- Rotoiti connections has been let and construction has commenced.
- The resource consent for the Ohau Diversion Wall has been granted for a further term of 35 years.

### **1.4 Lake Tarawera Catchment (including Rerewhakaaitu and Outer Catchment Lakes)**

Implementation of all actions in the Lake Tarawera Restoration Plan is underway, a full update is provided within the report in Appendix One. The first stage of the Cultural Health Assessment, led by Te Arawa Lakes Trust with funding from the Regional Council, has commenced and the development of Farm Environment Plans for farms in the inner and outer catchments on a voluntary basis is making good progress.

## **3 Tauranga Moana Programme Six Month Report**

### **3.1 Tauranga Moana Programme background**

The Tauranga Moana Programme was established in 2013 to deliver on the community's expectations for the health of the Tauranga Harbour and its catchment. The Programme coordinates, prioritises and delivers on all our work related to Tauranga Harbour. Tauranga City Council, Western Bay of Plenty District Council and the Regional Council are partners in the Programme allowing an adaptive and collaborative approach to managing the harbour and catchment.

The Programme is overseen by the Tauranga Moana Advisory Group which includes representatives from Tauranga Moana Iwi Collective and Councillors from the three councils.

The 2017/18 annual work plan for the Programme was received by the Regional Direction and Delivery Committee on 2 August 2017. The full six month report is attached at Appendix Two and summarises work carried out as part of this plan in the first half of the 2017/18 year.

### 3.2 Six month progress and highlights

Delivery against all projects agreed in the annual work plan is provided in Appendix Two. Most projects have been achieved, or are on track to be achieved. Highlights of the first six months of 2016/17 include:

*Partnerships:* staff worked with iwi and hapū through the development of the State of the Environment report for Tauranga Moana (harbour and catchments). The State of the Environment report will provide a snapshot of the health of air, land, freshwater and coast / harbour. The work will support tangata whenua in delivering their State of the Moana, an important action in the Tauranga Moana Iwi Management Plan.

*Maritime:* 12 spill incidents were reported to Maritime New Zealand. 24/7 response to navigational incidents and maritime oil spills was achieved. The new vessel “Awanui” arrived and a blessing was held in August 2017.

*Science:* Agreed to fund four more Tauranga Harbour student research projects looking at: benthic primary production and sediment nutrient fluxes; horse mussel habitats; effects of swan grazing on sea grass; dynamics of sediments and nutrients in lowland river reaches.

*Water quality improvements:* The Omanawa Stream (a tributary of the Wairoa River) was announced as the Bay of Plenty’s most improved river at the NZ River Awards in November 2017. The award acknowledges a significant reduction in E.coli bacteria levels which are a key indicator of swimmability in waterways.

*Opureora Channel dredging:* The dredging project was successfully completed in November / December 2017 and the final inspection of the site carried out on 10 January 2018. All Opureora Spit disposal sites have been successfully rehabilitated.

*Progress in wastewater management:* The Te Puna West waste water scheme is now complete and operational. Resource consent and Heritage NZ requirements for the Ongare Point waste water scheme are being finalised. The resource consent application for the Katikati wastewater treatment has been lodged. The Southern Pipeline project is progressing well with the pipeline between Matapihi and Te Maunga now complete. There have been delays in the harbour crossing pipeline due to unexpected drilling challenges.

*Sea lettuce:* Only six clean-ups were required over the 2017/18 summer period, with a total estimated volume of 430-450 cubic metres of sea lettuce removed. This is significantly less than the 2,235 cubic metres removed in 2016/17.

*Compliance:* Hazardous Activities and Industries List audits carried out at in the industrial areas of Greerton and Judea. 100 business premises fully audited. As a result four businesses were issued immediate notices to either cease an activity, instigate immediate behaviour change or alter the layout of their site.

*Kaimai Mamaku Catchments Forum:* A Kaimai Mamaku Catchments Forum workshop was held 6 October at ASB Arena and was attended by 55 people. A pest control plan for the Kaimai Mamakus is being developed as a result and an (unsuccessful) application for funding pest control across the Forest Park was also made to Predator Free 2050. The Predator Free Bay of Plenty project was also developed with an aim to get a rat trap in the backyard of 1 in 5 urban households in the western Bay of Plenty. This is launching in Matua and Merivale shortly.

*Marine biosecurity:* Port surveillance undertaken by NIWA on behalf of MPI captured two Asian paddle crabs in the Tauranga Harbour in February 2018. A mature male and female pair were discovered in the same pot near Matapihi bridge. This is the first discovery in the region and work is underway to determine current extent of the incursion and what management options are appropriate or feasible.

## **4 Council's Accountability Framework**

### **4.1 Community Outcomes**

This work directly contributes to the Water Quality and Quantity and Environmental Protection Community Outcomes in the Council's Long Term Plan 2015-2025 and to outcomes in the new Long Term Plan currently being developed.

### **4.2 Long Term Plan Alignment**

This work is planned under the Tauranga Catchments Activity and the Rotorua Catchments Activity in the Long Term Plan 2015-2025 and in the new Long Term Plan currently being developed.

#### **Current Budget Implications**

This work is being undertaken within the current budget for the Tauranga Catchments Activity and the Rotorua Catchments Activity in the Annual Plan 2017/18.

#### **Future Budget Implications**

Future work is provided for in the new Long Term Plan currently being developed.

Helen Creagh  
**Rotorua Catchments Manager**

**for General Manager - Catchment Management (Temporary)**

**22 March 2018**



# **APPENDIX 1**

## **2017- 2018 Rotorua Te Arawa Lakes Programme (RTALP) 6 Monthly Report PDF**





# Six Monthly Report

2017-2018

#love our lakes  
[rotorualakes.co.nz](http://rotorualakes.co.nz)



Page 135 of 274

**Bay of Plenty Regional Council, Rotorua  
Lakes Council and Te Arawa Lakes Trust.**  
*Working as one to protect our lakes  
with funding assistance from the  
Ministry for the Environment.*

# 1 Purpose

The purpose of this document is to report progress against the 2017/18 Annual Work Programme of the Rotorua Te Arawa Lakes Programme, for the six months ending 31 December 2017. This report is in accordance with Clause 5.3 and 5.4 of the Deed of Funding.

This report provides an update on deed funded projects, including their financial status. It also provides an update on non-deed funded projects that fall under the Programme.

The overarching goal of the Deed of Funding is to reach community aspirations for water quality in four deed funded lakes: Rotorua, Rotoiti, Ōkāreka and Rotoehu. To show the status of reaching this goal, there is an update on how each priority lake is tracking in terms of water quality.





# Contents

<b>1</b>	<b>Purpose</b>	<b>i</b>
<b>2</b>	<b>Overview</b>	<b>1</b>
2.1	Lake Rotorua	1
2.3	Lake Rotoehu	2
2.4	Lake Okareka	4
2.5	Lake Rotoiti	4
<b>3</b>	<b>Key achievements</b>	<b>5</b>
<b>4</b>	<b>Annual Plan of interventions – deed funded lakes</b>	<b>12</b>
4.1	Lake Rotorua	12
4.2	Planned and Completed Activities – Lake Rotorua	12
4.3	Lake Rotoehu	15
4.4	Planned and completed activities – Lake Rotoehu	16
4.5	Lake Rotoiti	16
4.6	Planned and completed activities – Lake Rotoiti	17
4.7	Lake Ōkāreka	18
4.8	Completed activities – Lake Ōkāreka	18
<b>5</b>	<b>Te Tuapapa o ngā Wai o Te Arawa/Te Arawa Cultural Values Framework</b>	<b>19</b>
<b>6</b>	<b>Annual Plan of Interventions - non-deed funded</b>	<b>23</b>
6.1	Lake Tarawera	23
6.2	Lake Ōkaro	24

6.3	Lake Rerewhakaaitu	24
6.4	Lake Rotomā	24
6.5	Lake Rotokakahi	24
6.6	Lake Ōkātaina	24
6.7	Lake Tikitapu	24
6.8	Lake Rotomahana	24
<b>7</b>	<b>Financials</b>	<b>25</b>

## 2 Overview

Work continues on all lakes but with a continued heavy resource weighting towards Lake Rotorua. An update on progress on each lake to 31 December 2017 is provided below, in accordance with the 2017/18 Annual Work Programme.

### 2.1 Lake Rotorua

<b>RLC and BOPRC Annual Plan Budget 2017/18 (\$000)</b>	<b>Actual year to date Expenditure (\$000)</b>	<b>Approved Crown Funding 2017/18 (\$000)</b>	<b>Crown Funding received to date (\$000)</b>	<b>Crown Funding applied to date (\$000)</b>
9,804	1,976	4,902	1,889	988

The components of the Integrated Framework for Lake Rotorua continue to be very resource intensive. The Commissioners' decision on Proposed Plan Change 10 was received in August 2017 and appeals to the Environment Court closed at the end of September. Four appeals to the Commissioners' decision were received (from CNI Iwi Holdings, Federated Farmers, Te Tumu Paeroa and Ngāti Uenukukōpako). A variety of parties joined these appeals under s274 of the Resource Management Act. The first Environment Court led mediation was undertaken in early February 2018 and staff will continue to participate in the appeal process as now directed by the Environment Court.

The Commissioners decision on Plan Change 10 gives it legal effect and as a result, the Regional Council must now implement the plan change. As such, work has been done to: update Nutrient Management Plans to provide for identification of Critical Source Areas for phosphorous and identify mitigation measures, prepare for informing landowners of their obligations under the plan change, granting resource consents for properties over 40 ha and collecting information on permitted activities under the plan change. Consenting and collection of information on the plan change is due to commence in March 2018.

Work has continued on existing gorse agreements (documentation, gorse control and planting) and also working with landowners to sign up new agreements. 203 ha of gorse in the catchment is now either covered by an agreement under the gorse scheme or has an agreement pending. Difficulties have arisen with getting some owners of Maori land to engage in the gorse scheme because of the 999 year encumbrance. In-particular, Te Tumu Paeroa will not support any of their landowners entering into the gorse scheme because of this requirement. Staff at the Regional Council and the Ministry for the Environment are discussing this requirement of the gorse scheme to see if a solution can be found.

The first round of the Low Nitrogen Land Use Fund is being wrapped up with the final contractual commitments being delivered. Highlight projects of this first round include the Rotorua Land Use Directory and the DNitro tool. A key staff member on the fund has now returned from maternity leave and is working on a review of the first round of funding to identify its success, remaining gaps and next steps for the remaining funds. Recommendations are scheduled to be presented to Strategy Group in March 2018 (likely at the same time as this report).

The Incentives Scheme has continued to engage landowner interest. No agreements were signed in the first half of the year but a number were presented to the Incentives Committee early in the new year for approval and will be reported as achieved in the full year report. The delay in the first half of the year was due to rework of Nutrient Management Plans required to account for the Commissioners' decisions on Plan Change 10.

The connections of remaining properties at Brunswick Park have not yet been made. Some planning work is underway and the Regional Council is supporting the District Council with implementing this project. The bulk of the work will need to be completed in the second half of the year for the project to remain on track.

Work on the investigation of options to contribute to the current gap of around 15-20 tonne in the 50 tonne engineering solutions for Lake Rotorua, has stalled due to the key staff members being involved in Plan Change 10 and related activities. Current contributions to this goal are the Tikitere Zeolite Plant (20-25T) and sewerage reticulation (around 10 tonne). Staff are currently working to get this project back on track so appropriate actions can be implemented for the 2022 deadline.

Construction of the Tikitere Zeolite Plant is now scheduled for 2019/2020, which will give a couple of years of refining the operation of the plant before the 2022 deadline to achieve the reduction.

Staff involved in delivering the Advice and Support Service are proactively contacting landowners with properties over 40 ha, to ensure that they have Nitrogen Management Plans prepared to enable them to apply for a resource consent under Plan Change 10. In total, 120 farming enterprises are now registered with the Advice and Support Service. Staff are currently working with landowners and contracted Land Use Advisors to update Nutrient Management Plans, to incorporate the changes to Proposed Plan Change 10 which were notified in the Commissioners' decision last year. These new provisions require a greater emphasis on phosphorus management. Eighteen farming enterprises have taken up Business Support.

Increasing involvement of hapū and iwi in restoration projects associated with waterways within their rohe is taking place in the Rotorua Catchment. Te Komiro o Utuhina, Ngati Ngararanui - Waiteti, Ngati Rangiwewehi – Awahou. There is a proposal under development for a hapū led project of restoration of the wetlands and streams around the Catchment. This will continue to be promoted through the Te Arawa Lakes Trust.

## 2.3 Lake Rotoehu

<b>RLC and BOPRC Annual Plan Budget 2017/18 (\$000)</b>	<b>Actual year to date expenditure (\$000)</b>	<b>Approved Crown Funding 2017/18 (\$000)</b>	<b>Crown Funding received to date (\$000)</b>	<b>Crown Funding applied to date (\$000)</b>
236	88	118	59	44

Ongoing actions on Lake Rotoehu include phosphorous locking (alum dosing) and weed harvesting.

This year there is likely to be no weed harvesting on the lake due to a lack of weed. This will be reassessed in late summer. Alum dosing continues as planned.



## 2.4 Lake Okareka

RLC and BOPRC Annual Plan Budget 2017/18 (\$000)	Actual year to date expenditure (\$000)	Approved Crown Funding 2017/18 (\$000)	Crown Funding received to date (\$000)	Crown Funding applied to date (\$000)
0	0	0	0	0

The Rotorua Te Arawa Lakes Strategy Group approved a further land use change project in the Lake Ōkāreka Catchment at the end of 2016. This project had three streams to it: completing a full check of compliance with Rule 11, contributing to the Lakes A Zone District Plan review and securing further nutrient purchase from landowners in the catchment. Since then, the programme has offered funding for further land use change and nutrient purchase to all owners of sufficient land in the catchment. As a result we are in discussions with interested parties to secure further change.

Forty percent of the catchment land use has been audited for compliance with their Rule 11 Benchmark and all properties audited are operating at or below their Benchmark. We are aiming to get the remaining properties audited by the end of the financial year. The funding set aside for the Lakes A Plan Zone District Plan review has not yet been progressed.

## 2.5 Lake Rotoiti

RLC and BOPRC Annual Plan Budget 2017/18 (\$000)	Actual year to date expenditure (\$000)	Approved Crown Funding 2017/18 (\$000)	Crown Funding received to date (\$000)	Crown Funding applied to date (\$000)
5,434	758	2,717	128	9

Ongoing projects on Lake Rotoiti include the final sewerage reticulation between Curtis Road and Hinehopu (part of the Lake Rotomā-Rotoiti Reticulation Project) and maintenance and monitoring works to deal with corrosion of the Ohau Wall. Good progress has been made on the reticulation and the contract for the construction of the Wastewater Treatment Plant and Land Disposal Site has been let and will be completed this calendar year. Four fish passes have been installed in the wall now and a structural management plan has been developed to deal with corrosion, components to be installed in the next financial year.

### 3 Key achievements

An overview of key achievements for the first six months of this financial year are shown in the table below. Achievements are shown against the high level outline of the activities planned for the 2017/18 financial year, and as outlined in the 2017/18 Annual Work Programme. The Deed funded activities are shown in bold.

For more detailed information about deed projects (including financials), please refer to the later sections of this report.

Lake Operations as shown in 2017/18 Annual Work Programme	Lake operations progress as at 31 December 2017
<b>Continue Lake Rotoehu Weed Harvesting.</b>	There is a lack of available weed this year so there may be no harvesting this financial year. Harvesting normally occurs in late summer early autumn period, so this will be revisited in April 2018.
Investigate the feasibility of weed harvesting on Lake Rotorua for nitrogen reduction (as part of the 50 t engineering solutions).	This project has been delayed due to staff priorities related to Plan Change 10. Staff are currently working to get this project back on track so appropriate actions can be implemented for the 2022 deadline.
<b>Continue phosphorous locking to maintain water quality (Lakes Rotoehu and Rotorua).</b>	Phosphorus locking is being undertaken. Staff are progressing the resource consent renewal for two plants on Lake Rotorua.
<b>Continue to pursue resource consents, prepare site and review engineering and cost feasibility of Tikitere Zeolite Plant, in time for scheduled 2018-2019 construction.</b>	Staff are pursuing resource consent for the plant and continuing detailed design. Construction has been pushed out to 2019/2020 in the Regional Council's draft Long Term Plan. However, this is still sufficient time to have the plan running by the 2022 deadline.
<b>Undertake mitigation works as agreed in the Ohau Wall consenting process.</b>	Four fish passes have been installed. Staff are working with iwi to undertake restoration works in the Ōhau Channel area.
Responsive weed management as required for amenity purposes across all lakes.	Continue to work with partners, including Land Information New Zealand on this matter as required. Aquatic Plant Management Plans have been developed for the lakes and will be presented to the Strategy Group at the same time as this report.



Lake Operations as shown in 2017/18 Annual Work Programme	Lake operations progress as at 31 December 2017
Initiate catchment and lake modelling work with the University of Waikato to identify potential phosphorus sources and water quality solutions at Lake Tarawera.	Lake Tarawera water quality modelling is underway and due to be completed by 31 March 2018.
Once catchment and lake modelling is available consider a review of action plans for Ōkaro and Ōkāreka to establish whether further intervention is necessary in these catchments, e.g. gorse removal, land use change.	Modelling for Lake Ōkāreka is due to be completed by 31 March 2018. Modelling for Lake Ōkaro has been delayed due to resourcing issues. Pursuit of further land use change as progressed in Ōkāreka in the meantime as mentioned above.
The University of Waikato Chair of Science and the Water Quality Technical Advisory Group will continue to provide expert advice and scientific rigour for the Programme	Technical Advisory Group (TAG) advice continues. TAG is close to releasing a paper on the impact of climate change to the Lakes Programme.  Two meetings held during the reporting period. Progressing Plan Change 10 science review.
Land Technical Advisory Group to provide technical support for land use and land management decisions.	Land TAG operating in a workshop mode. No workshops held during the reporting period.
Continue work to refine function of the Trout Barrier at Hamurana Springs by investigating options to alleviate algae issues above the barrier and prevent trout from passing above the barrier.	Communication with iwi is underway and staff are discussing options with consultants and contractors to find solutions to the issue.
Apply the structural management plan to manage the corrosion of the Ohau Wall.	Structural management plan has been developed and finalised with structural components to be installed in 2018/19 financial year.
Manage the Ohau diversion wall as per new resource consent.	Monitoring is programmed and undertaken on a regular basis to check the integrity of the wall as well as undertake a range of environmental monitoring as required.
Continue to monitor forest harvest impact on ground water and Lake Rotomā – a 4 year project.	Monitoring continues. The harvest operation has been completed. More detailed results will be available at the completion of the monitoring project.

Lake Operations as shown in 2017/18 Annual Work Programme	Lake operations progress as at 31 December 2017
Continue koura monitoring programme on all twelve lakes.	Koura monitoring is underway. Rerewhakaaitu and Ōkaro were monitored in the 2016/17 period. All 12 lakes will be monitored on a five yearly rotation.
Install monitoring buoy in the Lake Tarawera and also either in the east of Lake Rotoiti or Lake Ōkāreka, subject to approvals.	Awaiting construction of monitoring buoys using more advanced technology.

Land management as shown in 2017/18 Annual Work Programme	Land management progress as at 31 December 2017
<p>Continue to implement the Lake Rotorua Gorse Programme, including signing up new agreements and implementing existing ones.</p>	<p>Staff are continuing to work with the owners of eligible gorse blocks to promote the Lake Rotorua Gorse Programme. There are two agreements currently under negotiation which, if successful, will result in almost 4 t of nitrogen removed from the lake.</p> <p>However, the requirement for a 999 year encumbrance to be registered on land titles is proving to be a disincentive for some Maori owned land and this is slowing progress. Alternative options for securing nitrogen gains from gorse conversion are currently being investigated.</p>
<p>Continue the projects initiated for the first Low Nitrogen Land Use round and initiate a further funding round once the project outputs are assessed.</p>	<p>Three projects are complete, on time and within budget (D-Nitro, Land Use Directory, Good Management Practice videos), one project is completed in part and two due to be complete before the end of the financial year.</p> <p>A paper will be prepared setting out a work programme for the 2018 calendar year and presented to Rotorua Te Arawa Lakes Programme Strategy Group in March.</p>
<p>Continue to implement the Lake Rotorua Incentives Scheme, including signing up new agreements and implementing existing ones.</p>	<p>The Incentives Scheme has deals of around 20 t, either secured (8.6 t), near completion (3.2 t) or in the pipeline (9.5 t). No further deals were secured in the six month period reported here but a number of deals were presented for approval in early 2018.</p> <p>Re-writes of the Nutrient Management Plans to account for the Commissioners' decision on Proposed Plan Change 10 did prevent agreements progressing to finalisation in the first half of the year.</p>
<p>Continue to implement the Advice and Support Service for landowners affected by Plan Change 10.</p>	<p>To date, 128 landowners have engaged with Advice and Support. There are 94 properties over 40 ha in area in the Lake Rotorua Catchment which require a resource consent this year and, of these, 76 are engaged with Advice and Support. Previously finalised Nutrient Management Plans (NMPs) are currently being re-worked to incorporate a greater emphasis on on-farm phosphorous mitigations as a result of the Commissioners' decisions on Plan Change 10. When completed, landowners will be able to use their NMP to support their application for resource consent.</p>

Land management as shown in 2017/18 Annual Work Programme	Land management progress as at 31 December 2017
<p><b>Progress the Lake Ōkāreka Land Use Project to reduce nutrient loss in the catchment.</b></p>	<p><b>Forty percent of land within the catchment has been audited and all of these properties are below their Rule 11 benchmark levels. Incentives for further land use change in the catchment have been offered to all owners of sufficient land and staff are negotiating with interested parties. The remaining benchmarks will be audited this financial year.</b></p>
<p>Continue Acacia control on land in between Lake Tarawera and Lake Rotomahana to reduce N leaching as required.</p>	<p>14.7 ha Isthmus Track. Control was funded by the Regional Council and Te Ariki Trust of Acacia control was carried out for 17 weeks around Lake Rotomahana.</p>
<p>Support the farming community to develop farm management plans that concentrate on Good Management Practices in the Lakes Rerewhakaaitu, Rotokakahi, Rotomahana and Tarawera catchments and provide support for the implementation of these plans. Quantify the nutrient reductions achieved by the farming community in these catchments.</p>	<p>This an action in the Tarawera Restoration Plan and is a voluntary project with the local farming community, Fonterra and Beef and Lamb NZ and is making great progress. There are 41 farms in total who have been asked to participate in the project to develop a Farm Environment Plan (including nutrient management aspects) and only seven of those are reluctant or have indicated they are too busy to participate. Work continues on the other farms with a number already complete.</p>

Policy, planning, communications and information technology as shown in 2017/2018 Annual Work Programme	Policy, planning, communications and information technology progress as at 31 December 2017
<p>Continue Schedule 1 RMA (1991) process for Lake Rotorua Nutrient Management rules being made operative.</p>	<p>Environment Court mediation was held Thursday, 8 February. The outcome of this mediation was for appellants and s274 parties who requested an alternative approach to meet and identify points of agreement or disagreement, and report back in six weeks on a range of matters, including specific relief sought by each appellant. However, at the time of writing this report, the Environment Court has just written to all parties directing that this timeframe be bought forward.</p> <p>A separate mediation is being held to discuss concerns raised in regard to the accounting methodology for the wastewater treatment plant.</p>
<p>Identify timeframes for rules to be developed for the 'Non-Rule 11' lakes.</p>	<p>A regional water quality plan change is being scoped, taking into account the need for a 'hold the line' approach. This is also dependent on the direction of the new Government, this being a key interest of theirs.</p>

Policy, planning, communications and information technology as shown in 2017/2018 Annual Work Programme	Policy, planning, communications and information technology progress as at 31 December 2017
Continue working with lake owners to develop an action plan for Lake Rotokakahi.	Due to information gaps an action plan isn't able to be completed at this stage.
Develop an action plan for Lake Rotomahana if needed.	No action plan for Lake Rotomahana has been required.
Continue with the implementation of the Te Arawa Values Framework that was adopted by the Programme Strategy Group in October 2015.	The focus over the last six months has been on re-engaging with, and encouraging, hapū and iwi to be involved with and in some cases, take ownership of freshwater and land-based projects. We have been taking a bottom-up approach to embedding Te Tuapapa within the work that we do. Detailed information is provided later in this report.
Implement the Communications Plan approved by the Programme, with a focus on Integrated Framework, the RMA process in relation to the Lake Rotorua Nutrient Management package and raising the profile of the Programme.	<p>Communications support has been provided for Plan Change 10, new Chair in Lake and Freshwater Science, messaging on maritime signage and the installation of a pipeline and pump to manage the water levels of Lake Ōkāreka.</p> <p>Guide for lifestyle block owners has been created and is expected to be circulated in March to landowners.</p> <p>Programme Facebook Page continues to grow in popularity with 1,855 likes.</p>
Establish the Nutrient Discharge Management System for nutrient management across all lake catchments.	Nutrient Discharge Management System database is nearing completion of Phase One and is expected to "go live" early 2018. Phase Two is now in the planning phases.


Sewerage as shown in 2017/2018 Annual Work Programme	Sewerage progress as at 31 December 2017
Complete the remaining sewerage connections at Brunswick, Lake Rotorua.	Bay of Plenty Regional Council and Rotorua Lakes Council agreed on a strategy to implement the connections. Pre-implementation planning is underway.
Commence with detailed design of the Wastewater Treatment Plant and the Rotoiti Sewerage Scheme.	Detailed design of the Rotomā/Rotoiti Wastewater Treatment Plant and Land Disposal System has been completed.
Start with the construction of Rotomā/Rotoiti Wastewater Treatment Plant, the Land Disposal System and Rotomā reticulation.	Contract for the construction of the Rotomā/Rotoiti Wastewater Treatment Plant and Land Disposal System has been let. Tenders for the construction of the Rotomā reticulation are closed.
Start the detailed design of Rotoiti reticulation.	Trial for the Biolytix system is almost complete.
Lodge resource consent application for Rotorua Wastewater Treatment Plant, alternative disposal system.	Pre-application review of the draft resource consent application is underway.
Continue community engagement at Rotoehu in relation to sewerage, with the aim of agreeing on preferred options.	The Rotoehu Project Steering Group continue to evaluate sewerage options for the community.




## 4 Annual Plan of interventions – deed funded lakes

### 4.1 Lake Rotorua





To meet community expectations for water quality in Lake Rotorua nitrogen inputs must not exceed 435 t annually. This limit is set in the Bay of Plenty Regional Policy Statement. To achieve this water quality target for Lake Rotorua, the Programme is undertaking both short term and long term interventions. Alum dosing is a short term intervention to keep the lake at its target Trophic Level Index (TLI) while long term interventions take effect. The lake will decline again if alum dosing is not carried out annually and this is not considered a long-term solution to lake water quality. The solution to sustainable improvements is long term reduction of nutrients entering the lake, i.e. the Integrated Framework + Engineering Solutions, as detailed below.

### 4.2 Planned and completed activities – Lake Rotorua

Project	Deed funded	Total target	Total achieved to date	6 month target	6 month reduction achieved	Update	Budget \$000	Project status
Gorse	Yes	30 t (Reduction of nitrogen entering the lake)	83.3 hectares of conversion	2.0 t N	No agreements signed in reporting period	Staff are continuing to work with the owners of eligible gorse blocks to promote the Lake Rotorua Gorse Scheme and to implement existing agreements. Over the six months staff have made good progress negotiating two agreements which, if successful, will result in a further 40 hectares of conversion. However the requirement for a 999 year encumbrance to be registered on land titles is proving to be a disincentive for maori owned land. Alternative options for securing nitrogen gains from gorse conversion are currently being investigated.	<b>Budget</b> \$547 <b>Spend</b> \$79	
Rotorua Wastewater Treatment Plant – Alternative Disposal Site	No	N/A	N/A	N/A	N/A	Pre-application review of the draft resource consent application is underway for the alternative treatment and disposal option proposed.	<b>Budget</b> \$0 <b>Spend</b> \$0	N/A

Project	Deed funded	Total target	Total achieved to date	6 month target	6 month reduction achieved	Update	Budget \$000	Project status
Brunswick Sewage Connections	Yes	0.67 t N 0.553 t P	N/A	0 t N 0 t P	4.87 t N 0.40 t P	Pre-implementation planning is underway for the remaining sewerage connections at Brunswick Drive.	<b>Budget</b> \$320 <b>Spend</b> \$0	
Completed Lake Rotorua Reticulation	Yes	9.74 t N 0.3 t P	9.74 t N 0.3 t P	4.87 t N 0.15 t P	4.87 t N .40 t P	Previously completed, reductions achieved annually.	<b>Budget</b> \$0 <b>Spend</b> \$0	N/A
Incentives	Yes	100 t N (Reduction of nitrogen entering the lake)	7.52 t N	10.0 t N	0 t N	The Incentives Scheme has deals of around 20 t available to it: secured (7.52 t), near completion (3.2 t) in pipeline (9.5 t).  While no deals were made in the first half of the year, a number were presented to the Committee for approval early in the second half and will be reported in the Annual Report.  Existing agreements continue to be implemented as per agreement conditions.	<b>Budget Payments</b> \$6,000 <b>Spend Payments</b> \$526 <b>Budget Administration</b> \$500 <b>Spend Administration</b> \$224	
Tikitere Zeolite Plant	Yes	20-25 t N 0.0 T P	N/A	N/A	N/A	Work continues on detailed design and planning. Construction is now planned for 2019/2020 which will give sufficient time to have the plant up and running effectively for the 2022 deadline.	<b>Budget</b> \$684 <b>Spend</b> \$475	





Project	Deed funded	Total target	Total achieved to date	6 month target	6 month reduction achieved	Update	Budget \$000	Project status
Further engineering solutions	Yes	25-30 t N 0.0 t P	N/A	N/A	N/A	This project stalled in the first half of the financial year due to staff priorities in Plan Change 10 and related activities. Staff are currently working to get this project back on track so appropriate actions can be implemented for the 2022 deadline.	<b>Budget</b> \$0	
<b>Landowner Support under PC10:</b>							<b>Advice and Support Budget</b> \$501	
Advice and Support Service	Yes	N/A	N/A	N/A	N/A	There is excellent uptake of this service and it is full operation. 128 landowners are signed up to it, with 76 of the 94 above 40 ha now signed up, these larger enterprises are the priority.	<b>Spend</b> \$271	
Low Nitrogen Land Use Fund	Yes	N/A	N/A	N/A	N/A	The first round of funding is now being wrapped up and recommendations will be presented to the Strategy Group on next steps in March 2018.	<b>Low Nitrogen Land Use Fund Budget</b> \$501  <b>Spend</b> \$120	
Phosphorous Locking (Utuhina and Puarenga)	Yes	As required	As required	As required	4.28 t P	Ongoing as required to maintain target TLI.	<b>Budget</b> \$750  <b>Spend</b> \$280	
Lake Rotorua Regional Water and Land Plan – Proposed Plan Change	No	140 t N (Reduction of nitrogen entering the lake)	NA	NA	NA	Commissioner's decision released in August 2017. Appeals to that decision received. Now in Environment Court process with first mediation held. Plan Change has legal effect and is now being implemented with first consents due to be granted under it shortly.	<b>Budget</b> \$0	

Project	Deed funded	Total target	Total achieved to date	6 month target	6 month reduction achieved	Update	Budget \$000	Project status
Nutrient Agreements (not Incentives Scheme)	No	N/A	2.84 t N 0.08 t P	1.95 t N 0.03 t N	1.42 t N 0.04 t P	Historical agreements in effect, nutrient reductions realised annually.	<b>Budget</b> \$0	N/A
						<b>Total Budget (Full Year)</b> <b>Total Expenditure (Six Months)</b>	\$9,804 \$1,976	

### 4.3 Lake Rotoehu

To meet community expectations for water quality in Lake Rotoehu, a reduction of 8.9 t of nitrogen and 0.708 t of phosphorus is required. Short-term interventions (phosphorous locking and weed harvesting) continue. Community consultation in relation to potential sewerage reticulation will progress in 2017-2018.




#### 4.4 Planned and completed activities – Lake Rotoehu

Project	Deed funded	Total target	Total achieved to date	Six month target	Six month reduction achieved	Update	Budget \$000	Project status
Land Use and Land Management Change	Yes	6.6 t N 0.46 t P	6.6 t N 0.46 t P	2.11 t N 0.20 t P	3.30 t N 0.23 t P	Change completed previously, benefits realised annually.	<b>Budget</b> \$0 <b>Spend</b> \$0	N/A
Weed Harvesting	Yes	3.5 t N 0.0 t P	0 t N 0 t P	0 t N 0 t P	0 t N 0 t P	Weed harvesting is due to be undertaken April/May 2018.	<b>Budget</b> \$100 <b>Spend</b> \$3	
Phosphorus Locking	Yes	As required	As required	As required	0 t N 1.57 t P	Research on p-locking in Lake Rotoehu has indicated that lake weed growth may be limiting the effectiveness of p-locking. Staff are investigating options to improve locking efficiency.	<b>Budget</b> \$136 <b>Spend</b> \$84	
<b>Total budget (full year)</b>							<b>\$236</b>	
<b>Total expenditure (six months)</b>							<b>\$88</b>	

#### 4.5 Lake Rotoiti

To meet community expectations for water quality, Lake Rotoiti needs a reduction of 130 t of nitrogen and 19 t of phosphorus. The Ohau Diversion Wall has been in place since 2008 and is improving water quality by diverting Lake Rotorua nutrients from Lake Rotoiti while long term nutrient reductions into Lake Rotorua are achieved.

## 4.6 Planned and completed activities – Lake Rotoiti

Project	Deed funded	Total target	Total achieved to date	Six month target	Six month reduction achieved	Update	Budget \$000	Project status
Sewerage Reticulation Curtis Road to Hinehopu	Yes	4.9 t N 1.1 t P		0 t N 0 t P	0 t N 0 t P	Contract for the construction of the Rotomā/Rotoiti Wastewater Treatment Plant and Land Disposal System has been let.  Biolytix system trial is almost complete.	<b>Budget</b> \$4,920 <b>Spend</b> \$740	
Ohau Diversion Wall	Yes	150 t N 15 t P		75 t N 7.5 t P	75 t N 7.5 t P	Structural management plan has been finalised with structural components to be installed in 2018/19 financial year.  Four fish passes have been installed. Staff are working with iwi to undertake restoration works in the Ōhau Channel area.	<b>Budget</b> \$514 <b>Spend</b> \$18	
Completed Rotoiti Reticulation: Okere, Otaramarae, Whangamarino, Mourea, Okawa Bay	Yes	5.9 t N 0.21 t P		2.95 t N 0.10 t P	2.91 t N 0.24 t P	Completed reticulation – reduction ongoing annually .	<b>Budget</b> \$0	
<b>Total Budget (Full Year)</b>							<b>\$5,434</b>	
<b>Total Expenditure (Six Months)</b>							<b>\$758</b>	

## 4.7 Lake Ōkāreka

To meet community expectations for water quality annual nutrient reductions of 2.5 t nitrogen and 0.08 t of phosphorus are required.

While all the previously planned actions for Lake Ōkāreka are complete, the lake hasn't quite reached its target Trophic Level Index. A project has commenced to audit the current nutrient discharges from properties in the catchment and ensure they are complying with their nutrient Benchmark. Incentives for further land use change in the catchment have been offered to all owners of sufficient land and staff are negotiating with interested parties. The remaining benchmarks will be audited this financial year.

The University of Waikato is also undertaking nutrient modelling to determine refreshed nutrient targets, due March 2018.

## 4.8 Completed activities – Lake Ōkāreka

Project	Deed funded	Total target	Total achieved to date	Six month target	Six month reduction achieved	Update	Budget \$000	Project status
Sewerage Scheme	Yes	1.9 t N 0.02 t P		0.95 t N 0.01 t P	0.95 T N 0.01 T P	Reticulation complete, nutrient reductions recognised annually.	<b>Budget</b> \$0	N/A
Previous Land Use Change	Yes	1.18 t N 0.22 t P		0.59 T N 0.11 T P	0.59 T N 0.11 T P	Land use change complete, nutrient reductions recognised annually.	<b>Budget</b> \$0	N/A
Land Use Change	Yes	NA	NA	NA	0 T N	No targets are set for this yet (awaiting modelling) but incentives have been offered to all eligible properties in the catchment to implement further land use change. Staff are currently negotiating with interested parties.	<b>Budget</b> \$0	N/A
<b>Total budget (full year)</b>							<b>\$0</b>	
<b>Total expenditure (six months)</b>							<b>\$0</b>	

## 5 Te Tuapapa o ngā Wai o Te Arawa/Te Arawa Cultural Values Framework

Te Tuapapa o nga wai o Te Arawa (Te Tuapapa) is a high level cultural values framework that describes the relationship between Te Arawa and the Te Arawa Lakes. It provides a framework to ensure that Te Arawa values are reflected in the management and restoration of the lakes.


The focus over the last six months has been on re-engaging with, and encouraging, hapū and iwi to be involved with, and in some cases, take ownership of projects. We have been taking a bottom-up approach to embedding Te Tuapapa within the work that we do.

## OUTCOMES –TE MANA O TE WAI IS UPHELD AND ENHANCED

Water is healthy – Healthy lakes (WAIORA)  
 The authority (whakapapa, matauranga, values) of Te Arawa is readily recognised (WAIKUA)  
 Te Arawa is well equipped for the journey ahead (WAIATA)

## INDICATORS – LOOK, FEEL, SOUND, TASTE, SMELL AND WAIKUA

Indicators can be described to suit our different customers

WHAT WILL WE MEASURE?	WHO IS IT FOR?	
	TE ARAWA HAPŪ, IWI & WHANAU	PARTNERS BOPRC, RLC & COMMUNITY
	<p>WAIORA The health and wellbeing of the water</p>	<ul style="list-style-type: none"> <li>• Te Arawa Cultural Health Index</li> <li>• More places I can gather kai</li> <li>• More plentiful kai</li> </ul>
<p>WAIKUA, WAIATA The wellbeing of the relationship between the water, Te Arawa, and the community</p>	<ul style="list-style-type: none"> <li>• Te Mana Whakahono rohe – delegations to iwi and hapū</li> <li>• Te Tūāpapa is a reference for iwi/hapū and community</li> <li>• Funded projects with hapuu for delivery and research</li> <li>• Increases number of whanau using lakes for recreation and cultural activities</li> </ul>	

## PERFORMANCE MEASURES – TRACKING OUR ACTIVITY TOWARDS THE OUTCOME

<p><b>HOW MUCH?</b></p> <ul style="list-style-type: none"> <li># SHMAK kits distributed</li> <li># ODK Kits distributed</li> <li># Dollars allocated for hapū projects</li> <li># reduction in structures impacting cultural values</li> <li># of monitoring sites for taonga ika</li> </ul>	<p><b>HOW WELL?</b></p> <ul style="list-style-type: none"> <li># data sets submitted</li> <li>% of budget spent on projects</li> <li>% structures impacting cultural values</li> <li># of sites where there is an increase in taonga species</li> <li># of actions that reflect Te Tūāpapa values</li> </ul>
--	--

### IS ANYBODY BETTER OFF?

Iwi/hapū/whanau participating in local projects  
 Page 159 of 274  
 Changes to Plans and consents reflect Te Arawa input  
 More kai on the table



**Te Arawa cultural values expressed in Te Tūāpapa are brought to life in all aspects of the management of Te Arawa Lakes**

**EMBED TE TUAPAPA  
WITHIN THE LAKES  
PROGRAMME**

**OBJECTIVE**

- Council staff understand the intent and content of Te Tūāpapa
- Te Tūāpapa is integral to the lakes structures and activities consent review process
- Environment policies are consistent with Te Tūāpapa

**PROJECTS**

- Iwi Management Plans
- Te Mana Whakahono
- Maintain focus on Bylaws
- Engage in significant key planning processes (RMA)

**OBJECTIVE**

- Council staff understand the intent and content of Te Tūāpapa and what it means to their work
- Te Tuapapa is embedded within the Rotorua Te Arawa Lakes Programme

**PROJECTS**

- Action Plan for Te Tūāpapa
- Develop workshops for Council and other agency staff to understand Te Tūāpapa

**OBJECTIVE**

- Te Arawa Iwi and hapu understand the intent and content of Te Tūāpapa, what it means to them and how they can get involved

**PROJECTS**

- Develop and implement Engagement Plan
- Communications plan and story telling framework for Tūāpapa

**Te Arawa mōhiotanga and measures inform programme development and delivery**

**RESEARCH &  
MONITORING**

**OBJECTIVE**

- TALT can share the unique cultural landscape around the Te Arawa Lakes
- Community and hapū/whanau understand the treasures that are around our lakes
- Specific cultural values are collated and mapped

**PROJECTS**

- Cultural mapping and impact assessments
- Research programme to implement Mahire Whakahaere
- Monitoring plan for Mahire Whakahaere

**OBJECTIVE**

- Te Arawa researchers are sought after and involved
- The questions Te Arawa are asking get answered

**PROJECTS**

- Stocktake of all research questions for Te Arawa and align with programme
- Te Arawa Science roles established
- Monitoring undertaken by Te Arawa

**OBJECTIVE**

- Tools are developed to support cultural values assessments and decision-making

**PROJECTS**

- Hapū/ iwi research projects
- Development of a Te Arawa Health Index

**Te Arawa deliver for Te Arawa and Rotorua community**

**CAPABILITY & CAPACITY  
BUILDING**

**OBJECTIVE**

- A clear and agreed programme and process is in place for the review of consents for lakes structures
- Whanau and hapū are aware of their roles, responsibilities and powers in respect of the lakes

**PROJECTS**

- Te Manawhakahono
- Undertake compliance training with TALT Trustees, Komiti Whakahaere, Poutiriao and staff
- Policy development for Structures and fees

**OBJECTIVE**

- Te Arawa are delivering programmes of work associated with the Lakes programme

**PROJECTS**

- Catfish
- Long term plan submission
- Engagement advice and support (Consents)

**OBJECTIVE**

- Te Arawa hapū and whanau are leading projects that deliver their Te Tūāpapa Values

**PROJECTS**

- Hungatiaki forum
- Internships in Partnership





## **Work completed over the last six months**

### **Stronger working relationships with hapū and iwi in relation to:**

- Statutory responsibilities - lake structure consent renewals, wastewater projects, Plan Changes 9 and 10 to the Regional Water and Land Plan, Te Arawa Freshwater Fisheries Regulations (released January 2018).
- Progressing a cultural mapping project, associated with lake structure consent renewals (Lakes Rotorua, Rotoma and Rotoehu).
- Environmental enhancement projects:
  - Support to Ohinemutu Pā (Te Kōmiro o Utuhina) residents to progress clean-up of Lakefront and Utuhina Stream.
  - Engagement with Mokoia Island Trust Board and erosion control project for Hinemoa's pool – Waikimihia.
  - Connecting Rotorua Lakes Council and Otaramarae Trustees regarding lakes access to Rotoiti.

### **Bringing hapū and iwi together:**

- Establishment of a Te Arawa Kaitiaki/Hunga Tiaki Forum as a way of bringing the Trust, Iwi and hapū together to share, learn and build capacity. Two wananga were held in the second half of 2017.
- Establishment of a Te Arawa Climate Change (Technical) Working Group. It is intended that a Te Arawa Freshwater (Technical) Working Group will be established in 2018.
- Developing the methodology and programme for a cultural health assessment of all lakes within the Tarawera System (funding pending).

### **Communicating our values and technical information in a useful, visual and meaningful way**

- Development of information sheets for each lake – uploaded to the Trust's website.
- Increased use of Facebook as our primary method of sharing information.
- Development of an Iwi Management Plan for the Trust (funding pending).

**Identifying opportunities to apply a collective impact model to our work:**

- Working with hapu to identify river and wetland restoration projects for Lake Rotorua.
- Sowing the seed to apply a collective impact model for Tarawera (and possibly Okataina). Interest from Maori Land owners with regards to pest control, biodiversity enhancement, water quality improvement.

**Supporting research projects:**

- PhD student Tracey Takuira is researching the impacts of land use and nutrients on wetlands and how this effects kuta – a traditional weaving material found in wetlands.
- Scion scientist Marie Joo Guen is undertaking research around contaminant filtering in the lakes.
- Working with Ngati Tarawhai regarding a fisheries-related project within Lake Okataina.



## 6 Annual Plan of Interventions - non-deed funded

Work has continued on the other Non-Deed lakes to protect and enhance their water quality. Action plans for these non-deed funded lakes are all in various stages of formation and implementation. The implementation of the National Policy Statement for Freshwater Management will be progressed in 2018, this will start with a stocktake of the information collected previously.

### 6.1 Lake Tarawera

Implementation of actions in the Lake Tarawera Restoration Plan is progressing well as outlined below:

- **Action 1, Wastewater Management** - The Tarawera Sewage Steering Committee has secured funding from the Government's Freshwater Improvement Fund. However, further funding will need to be secured to enable the Scheme to go ahead and the Committee is currently pursuing this. The planning process of the Scheme has continued in anticipation of further funds becoming available. The preferred option is currently to connect the reticulation at Tarawera to the Ōkāreka scheme, taking it back to the Rotorua Wastewater Treatment Plant. To ensure that the benefits of the large investment in this Scheme are maintained, a 'hold the line' style rule will be required in the Tarawera Catchment and is being investigated as part of a region wide Plan change.
- **Actions 2 and Action 4, Farm Environment Plans for inner and outer catchment farms** – A partnership project including the local farming collective, Fonterra and Beef and Lamb New Zealand is currently making excellent progress in establishing Farm Environment Plans for all farms in the inner and outer catchment of Lake Tarawera. Farmer uptake is voluntary but despite this, only 7 of the 41 farms have indicated they are too busy or unwilling to participate. A number of plans are already complete.
- **Action 3, Control of nitrogen fixing plants** - 14.7 ha of Acacia control was carried out for 17 weeks around Lake Rotomahana's Isthmus Track. This project remains a successful and practical project run in conjunction with the local people and providing local employment. Funding has also been provided this year by Te Ariki Trust.
- **Action 5, Limit on Land Use Change** - A regional water quality plan change is being scoped, taking into account the need for a 'hold the line' approach across many of the water bodies in the region, including Lake Tarawera. This is also dependent on the direction of the new Government, this being a key interest of theirs.
- **Action 6, Groundwater Modelling Lake Tarawera** - Water quality modelling is underway by the University of Waikato and is due to be completed in March 2018.
- **Action 7, Cultural Health Assessment** – This project will be lead by Te Arawa Lakes Trust and they have submitted a proposal to the Regional Council for funding consideration. It is planned to commence the project this financial year.

## **6.2 Lake Ōkaro**

Water quality in Lake Okaro has fluctuated over the last 10 years. All actions in the action plan have been completed. The lake reached its target TLI in 2010, 2014, 2015 and 2016. The target of 5.0 is still classified as a eutrophic lake and as such, algal blooms are likely to be a regular annual feature.

## **6.3 Lake Rerewhakaaitu**

Voluntary landowner engagement remains very high in this catchment with a committed farming community. The main action in the Programme on this lake currently, is the project to develop Farm Environment Plans for the outer catchment of Lake Tarawera (see above) and this community, including local Mr Chris Sutton, who is a driving force behind that project.

## **6.4 Lake Rotomā**

The only outstanding action for Lake Rotomā is sewage reticulation. The reticulation is a combined scheme for Lake Rotoiti as outlined above. Contract for the construction of the Rotomā/Rotoiti Wastewater Treatment Plant and Land Disposal System has been let. Tenders for the construction of the Rotomā Reticulation have closed.

## **6.5 Lake Rotokakahi**

This lake is privately owned, more information is needed to establish an action plan for the lake.

## **6.6 Lake Ōkataina**

Further land use change in Lake Ōkāreka remains an option and staff will continue to pursue this as time allows.

## **6.7 Lake Tikitapu**

The main action of sewage reticulation has been completed for Lake Tikitapu in 2010. No further work has been required for Lake Tikitapu this financial year.

## **6.8 Lake Rotomahana**

Lake Rotomahana has not exceeded its target TLI, therefore an action plan has not been necessary.

# 7 Financials

This section provides financial information as per the Deed of Funding with the Ministry for the Environment. The information contained here aligns with the content of the Annual Plan 2017/18 for both Rotorua Lakes Council and Bay of Plenty Regional Council.

Clause 5.2 / 5.4.2 (e) Interventions	(A)	(B)	(C)	D = (B+C) 5.2.2 a	E = (A-D)	Intervention phased budget for months 1-6	Year end forecast under/overspend status	Forecast year end financial indicator	(F) Council funding 5.2.2 C (i)		(G) Crown Funding 5.2.2 D			(H)	(I) = (F+G)	(J) = (-A-D)	5.4.2 (e)	Clause 5.4.3:
	Council Annual Plan Budget	Actual expenditure to date 2017/18	Remaining forecast expenditure to year end	Total actual + forecast expenditure to year end 2017/18	Forecast variance to Annual Plan over/(under) spend 2017/18				Council funding	Council reserve	Forecast Annual Work Programme Crown Funding 2017/18	Programme reserves MFE surplus / (deficit)	Reserve interest received	Funding from any other sources	Total funding required	Total Programme surplus (deficit)	Forecast funding committed to deferred works	Comments and issues raised
<b>Lake Rotoehu</b>	\$000	\$000	\$000	\$000	\$000				\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000		
Weed Harvesting	100	3	47	50	(50)	🚩	Underspend	🟡	13	13	25	0	0	0	50	(50)	0	Very little weed available this year. Harvester unlikely to run this year. Revisit at the end of March and progress change request as required.
Land Management Change	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
Phosphorus Locking Soda Springs	136	85	71	156	20	🟢	Overspend	🟢	39	39	68	(10)	0	0	156	20	0	Slightly over due to cost of product, monitor and progress change request as required.
Aeration	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
Sediment capping	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
Wetlands	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
<b>Total Lake Rotoehu</b>	<b>236</b>	<b>88</b>	<b>118</b>	<b>206</b>	<b>(30)</b>				<b>52</b>	<b>52</b>	<b>93</b>	<b>(10)</b>	<b>0</b>	<b>0</b>	<b>206</b>	<b>(30)</b>	<b>0</b>	
<b>Lake Ōkāreka</b>																		
Sewerage Reticulation	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
Land Management Change	0	0	50	50	50	🟢	Overspend	🟡	13	13	25	0	0	0	50	50	0	Strategy Group approved further land use change project in Lake Ōkāreka in 2016. Due to change in staff this was omitted in error from Annual Work Programme. Included now as forecast, progressing Change Request.
Outlet Structure	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
<b>Total Lake Ōkāreka</b>	<b>0</b>	<b>0</b>	<b>50</b>	<b>50</b>	<b>50</b>				<b>13</b>	<b>13</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>50</b>	<b>50</b>	<b>0</b>	
<b>Lake Rotorua</b>																		
Advice and Support	501	271	230	501	0	🟢	On budget	🟢	125	125	251	(0)	0	0	501	0	0	
Phosphorus Locking	750	280	470	750	0	🟢	On budget	🟢	187	187	375	0	0	0	750	0	0	
Tikitere Diversions	684	475	209	684	0	🟢	On budget	🟢	171	171	342	0	0	0	684	0	0	
Gorse	547	79	171	250	(297)	🚩	Underspend	🟡	63	63	137	12	0	0	250	(297)	0	Underspend in gorse discussed in Annual Report. Working with MFE to revisit 999 year requirement. Underspend here will offset unbudgeted Ōkāreka work.
Wetlands	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
Land Incentive Payments	6,000	526	3,474	4,000	(2,000)	🟢	Underspend	🟡	1,000	1,000	1,018	(983)	0	0	4,000	(2,000)	718	6 landowners agreements underway - total of 7.8 TN. Estimate value of \$4.07 m to be paid by year end.
Land Incentive Board Administration	500	224	276	500	0	🟢	On budget	🟡	125	125	250	0	0	0	500	0	0	
Low Nutrient Land Use Fund	501	120	180	300	(201)	🟢	Underspend	🟡	75	75	126	(25)	0	0	300	(201)	0	Wrapping up round one now and recommendations for next expenditure being prepared for Strategy Group in March. Depending on the outcome of this, there may be more expenditure this year but have adjusted forecast down for now.
Sewerage Reticulation	320	0	50	50	(270)	🚩	Underspend	🟡	13	13	0	(25)	0	0	50	(270)	0	
<b>Total Lake Rotorua</b>	<b>9,804</b>	<b>1,976</b>	<b>5,059</b>	<b>7,035</b>	<b>(2,769)</b>				<b>1,759</b>	<b>1,759</b>	<b>2,498</b>	<b>(1,020)</b>	<b>0</b>	<b>0</b>	<b>7,035</b>	<b>(2,769)</b>	<b>718</b>	
<b>Lake Rotoiti</b>																		
Sewerage Reticulation	4,920	740	4,180	4,920	0	🟢	On budget	🟢	1,230	1,230	0	(2,460)	0	0	4,920	0	1,549	Rotoiti/Rotomā – the resource consent has been granted and RLC will commission works to progress the project. Contract works expected to commence January 2018 with a major works schedule March 2018.
Ohau Wall Reconsenting	514	18	196	214	(300)	🟢	Underspend	🟢	54	54	128	21	0	0	214	(300)	0	
<b>Total Lake Rotorua</b>	<b>5,434</b>	<b>758</b>	<b>4,376</b>	<b>5,134</b>	<b>(300)</b>				<b>1,284</b>	<b>1,284</b>	<b>128</b>	<b>(2,439)</b>	<b>0</b>	<b>0</b>	<b>5,134</b>	<b>(300)</b>	<b>1,549</b>	
<b>Rotorua District</b>																		
Treatment and Disposal	0	0	0	0	0				0	0	0	0	0	0	0	0	0	
<b>Total Rotorua District</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total Programme - Expenditure</b>	<b>15,474</b>	<b>2,822</b>	<b>9,603</b>	<b>12,426</b>	<b>(3,049)</b>				<b>3,106</b>	<b>3,106</b>	<b>2,744</b>	<b>(3,469)</b>	<b>0</b>	<b>0</b>	<b>12,426</b>	<b>(3,049)</b>	<b>2,267</b>	
<b>Programme Expenditure by Council including interest</b>																		
Rotorua Lakes Council	5,240	740	4,230	4,970	(270)				1,243	1,243	0	(2,485)	80	0	4,970	(190)	1,549	
Bay of Plenty Regional Council	10,234	2,082	5,373	7,456	(2,779)				1,864	1,864	2,744	(984)	39	0	7,456	(2,740)	718	
<b>Total Programme</b>	<b>15,474</b>	<b>2,822</b>	<b>9,603</b>	<b>12,426</b>	<b>(3,049)</b>				<b>3,106</b>	<b>3,106</b>	<b>2,744</b>	<b>(3,469)</b>	<b>119</b>	<b>0</b>	<b>12,426</b>	<b>(2,930)</b>	<b>2,267</b>	
<b>Funding by Authority including interest</b>																		
MFE	7,737	1,411	4,802	6,213	(1,524)				0	0	2,744	0	119	0	(3,588)	0		
Rotorua Lakes Council	2,620	370	2,115	2,485	(135)				1,243	1,243	0	0	0	0	0	0		
Bay of Plenty Regional Council	5,117	1,041	2,687	3,728	(1,389)				1,864	1,864	0	0	0	0	0	0		
<b>Total Funding by Authority</b>	<b>15,474</b>	<b>2,822</b>	<b>9,603</b>	<b>12,426</b>	<b>(3,049)</b>				<b>3,106</b>	<b>3,106</b>	<b>2,744</b>	<b>0</b>	<b>119</b>	<b>0</b>	<b>(3,588)</b>	<b>0</b>		

Report movement summary comments:	Opening Reserve Balance 2017/18	1st Qtr Report - Forecast year end movement (expenditure & revenue)	Six Month Report - Forecast year end movement (expenditure & revenue)	Qtr 3 Month Report - Forecast year end movement (expenditure & revenue)	2017/18 Forecast year end reserves balance	Comments
<b>By Intervention</b>						
Lake Rotoehu	0	0	10	0	(10)	
Lake Ōkāreka	0	1	0	0	0	
Lake Rotorua	1,595	1,131	1,020	0	575	
Lake Rotoiti	4,022	2,460	2,439	0	1,583	
Rotorua District	0	0	0	0	0	
	<b>5,617</b>	<b>3,592</b>	<b>3,469</b>	<b>0</b>	<b>2,148</b>	
<b>By Council</b>						
Rotorua Lakes Council	3,954	2,620	2,485	0	1,469	
Bay of Plenty Regional Council	1,664	972	984	0	679	
	<b>5,617</b>	<b>3,592</b>	<b>3,469</b>	<b>0</b>	<b>2,148</b>	
<b>Est accrued interest</b>	0	(116)	(119)	0	(119)	
<b>Forecast reserve balance</b>	<b>5,617</b>	<b>3,708</b>	<b>3,588</b>	<b>0</b>	<b>2,267</b>	





## **APPENDIX 2**

# **2017-2018 Tauranga Moana Programme Six Monthly Report PDF**





# Tauranga Moana Programme

Six Monthly Report 2017/2018



Caring for Te Awanui  
Tauranga Harbour



# Contents

<b>Purpose</b>	<b>2</b>
<b>Background</b>	<b>2</b>
<b>Six month project highlights</b>	<b>3</b>
<b>Our approach to delivering the Programme</b>	<b>6</b>
<b>Annual Work Plan</b>	<b>7</b>
Governance, tangata whenua engagement and involvement and programme management	8
Integrated planning and modelling	11
Science	13
Operations	15
<b>Financials</b>	<b>25</b>



## Purpose

The purpose of the Tauranga Moana Programme is to coordinate the work of councils in Tauranga Harbour and its catchment, and deliver on community expectations. This work includes policy and planning, science, pollution prevention, maritime services as well as all operational activities such as biosecurity, biodiversity protection and sustainable land management.

The programme covers all significant activities (both projects and ongoing work) in the harbour catchment carried out by Tauranga City Council (TCC), Western Bay of Plenty District Council (WBOPDC) and Bay of Plenty Regional Council (BOPRC), providing an overall picture of the things we do in the area.

## Background

The vision for Tauranga Moana is: *“A healthy and thriving harbour that contributes to our wellbeing today and in generations to come.”* Outcomes sought for the harbour and its catchment are:

- **Ecological Health:** The natural environment is healthy and resilient, supporting thriving native wildlife and kaimoana.
- **Amenity:** The harbour and catchments are able to be used and appreciated.
- **Cultural:** Mana whenua and Mana moana is recognised, kaitiakitanga is enabled and cultural values are protected.
- **Sustainable Land Management:** Land and water use is managed to maintain and/or improve the health of the harbour and catchment.
- **Recognising Economic Importance:** The economic value of access and use is retained for the harbour and catchment.
- **Community:** Local communities have easy access to information about the harbour and catchment values and issues, and are actively supported to care for values that are important to them.

This vision and outcomes were developed following community feedback received in a Perceptions Survey conducted in April 2013. They are considered interim, until a formal process is undertaken to identify a vision and outcomes through the development of a co-governance document.

The programme was formally established by Regional Council in 2013 in order to coordinate, prioritise and deliver on all work related to the harbour and its catchment. Western Bay of Plenty District Council and Tauranga City Council have been participating in the programme since 2015. The intent is that the programme will develop to include all partners (iwi and the three councils) to enable a collaborative and adaptive management approach.

The Tauranga Moana Iwi Collective Deed of Settlement, once passed into law, will require a Tauranga Moana Governance Group to be established. To prepare for the Governance Group, an Advisory Group has been established which consists of iwi collective members as well as councillors from Tauranga City Council, Western Bay of Plenty District Council and Bay of Plenty Regional Council.

The first Te Awanui Tauranga Harbour Advisory Group meeting was held 17 November 2014. The Advisory Group will continue to meet, share information and provide direction to staff of partner agencies until replaced by the Governance Group.



## Six month project highlights

<p>Infrastructure</p>	<ul style="list-style-type: none"> <li>➤ Te Puna West Wastewater Scheme is complete and operational.</li> <li>➤ Opureora and Ōmokoroa boat ramps upgraded.</li> <li>➤ Consents obtained for three cycleway bridges as part of WBOPDC's Ōmokoroa to Tauranga Cycle Trail project.</li> <li>➤ TCC's five yearly comprehensive stormwater consents report is nearing completion.</li> </ul>
<p>Integrated planning and modelling</p>	<ul style="list-style-type: none"> <li>➤ Vandalised emergency response and awareness signage is being replaced on stream crossings across the catchment.</li> <li>➤ Quality Assurance Workshop held for the Tauranga Harbour Inundation and Coastal Erosion project.</li> <li>➤ Flood mitigation works at Nikau Crescent / Port of Tauranga are nearing completion.</li> <li>➤ Request for quotes to undertake the survey works for the flood management on Uretara Stream project have been received.</li> <li>➤ Phase one of TCC's Environment Strategy has been completed. Phase two, development of the strategy, is in the planning stage.</li> </ul>
<p>Governance, Tangata whenua engagement and involvement and programme management</p>	<ul style="list-style-type: none"> <li>➤ BOPRC's Mātauranga Māori Framework is being finalised.</li> <li>➤ Working in partnership with iwi and hapū on the State of the Environment Report.</li> <li>➤ 2016/2017 Tauranga Moana Programme Annual Report presented to relevant committees.</li> <li>➤ Happy Harbour Fun Day event is scheduled for Saturday 3 March at Memorial Park.</li> <li>➤ 76 regional news items published reaching an estimated reach of 1 million people nationally.</li> </ul>
<p>Maritime</p>	<ul style="list-style-type: none"> <li>➤ Port and Harbour Safety Management systems audit completed August 2017.</li> <li>➤ 12 spill incidents have been reported to Maritime New Zealand. 24/7 response to navigational incidents and maritime oil spills has been achieved to date.</li> <li>➤ New vessel "Awanui" arrived and a blessing held August 2017.</li> </ul>
<p>Science</p>	<ul style="list-style-type: none"> <li>➤ Developing a State of the Environment report for Tauranga Harbour catchment.</li> <li>➤ Chair in Coastal Science report received July 2017.</li> <li>➤ Approved funding for four more Tauranga Harbour student research projects looking at: benthic primary production and sediment nutrient fluxes; horse mussel habitats; effects of swan grazing on sea grass; dynamics of sediments and nutrients in lowland river reaches.</li> </ul>
<p>Catchment, parks and recreation</p>	<ul style="list-style-type: none"> <li>➤ Opureora Channel dredging project completed October 2017. Spit disposal sites have been successfully rehabilitated.</li> <li>➤ Hovercrafts first operational season was completed July 2017. Four</li> </ul>



estuaries mown. Very sparse mangrove seedling growth during the season.

- Audit of mangrove distribution and associated issues for tangata whenua project has commenced with engagement being undertaken.
- Predator Free Bay of Plenty project developed with an aim to get a rat trap in the backyard of 1 in 5 urban households in the western BOP. Launching in Matua and Merivale by March 2018.
- Intensive sampling is underway for the Kaiate Falls and the Uretara water quality investigation project.
- Two rounds of marine biosecurity surveillance undertaken. 1994 boat hulls inspected; Mediterranean fanworm was found at 12 sites; *Styela clava* was found at 25 sites; Under SSMP's 4 vessels were hauled out of the water and pests removed; 1 larger vessel was wrapped and treated with chlorine while in the water.
- Kaimai Mamaku Catchments Forum workshop held 6 October at ASB Arena and attended by 55 people. A pest control plan for the Kaimai Mamakus is currently being developed as a result.
- 17km of waterway margins protected, 56 ha of land use change and 26 new Environmental Programmes signed up with landowners to protect water quality and biodiversity.
- Omanawa Stream won an award for the most improved river at the NZ River Awards.
- One streambank repair and stabilisation plan undertaken in the Waitekohe catchment.
- Coast care season saw 41,000 plants planted by 3,500 volunteers.
- Six sea lettuce clean-ups undertaken during the reporting period. Total estimated volume 430-450 cubic metres of sea lettuce cleared.

## Regulatory Compliance

- Maleme Street drain discharge water quality study completed. The sampling shows degraded water quality is apparent as the water flows towards the Waimapu Stream.
- HAIL audits carried out at in the industrial areas of Greerton and Judea. 100 business premises fully audited. As a result 4 businesses were issued immediate notices to either cease an activity, instigate immediate behaviour change or alter the layout of their site.
- 478 consented activity inspections were carried out and 965 service requests (complaints) were dealt with during July – December 2017.
- The UV Plant at Te Maunga has been running since mid-September although still in the commissioning phase due to a number of technical issues.
- The Southern Pipeline Wastewater project has experienced challenges and is tracking behind schedule.
- Waterline Programme delivered educational lessons on the Three Waters to 26 schools. The Great Waste Race was delivered to 35 kindergarten classes.
- 16 schools attended TCC activities at the Hands on Water Expo.
- Water restrictions in the City came into force 16 December 2017.
- 400 plus entries were received in the October "Don't Paint the Drain" competition held throughout Tauranga and the Western Bay in participating paint stores. Winners received paint vouchers and swim with



the dolphin passes.

- As part of the TCC beach renourishment project 2300 m<sup>3</sup> of sand was added to Maxwell's Road Reserve and 640 m<sup>3</sup> of sand added to Pilot Bay beaches.
- Three litter clean-up events held in Welcome Bay, Memorial Park and Waimapu Estuary involving over 300 school students. 600kg of rubbish was cleared with 65kg diverted for recycling.





# Our approach to delivering the Programme

As we work on and in the Programme we'll use the following approaches for success:



## **Kotahitanga** Relationships

Iwi and hapū have a special relationship with Tauranga Moana. We will work with iwi and hapū in planning and delivery of the programme in a mutually constructive way.



## **Mana whenua, Mana Moana** Mountains to the sea

We recognise the interconnected relationships between land, sea and our communities. Catchments feeding the harbour need to be sustainably managed, hence the maunga to moana approach.



## **Whanaungatanga** Community participation

We encourage local communities to participate and lead in doing the right thing.



## **Whakaaro tahi** Communication

We regularly share our understanding of the harbour and its catchment. This is a collaborative programme and requires good communication with all involved.



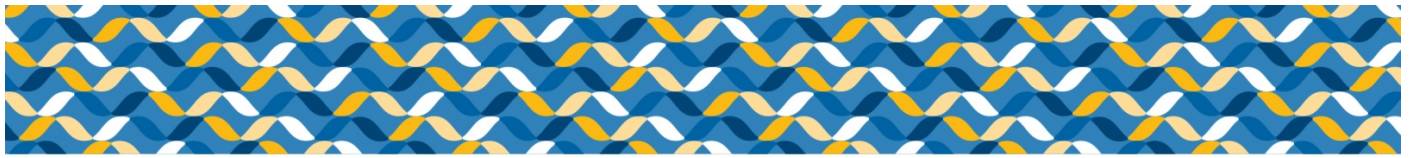
## **Pūtaiao** Scientific integrity

We rely on scientific research and accurate data to help us make wise decisions. Scientific research complements the decision-making of Council management and kaitiakitanga.



## **Mātauranga Māori** Knowledge

We will work with iwi and hapū to include mātauranga Māori alongside our scientific research and data collection to maintain the mauri of the harbour.







# Annual Work Plan

The following sections provide a report on achievements for the period July - December 2017 against actions proposed in the Tauranga Moana Annual Work Plan 2017/2018. The programme is broken into four areas of focus:

- 1 Governance, tangata whenua engagement and involvement and programme management.
- 2 Integrated planning and modelling.
- 3 Science.
- 4 Operations (includes maritime, infrastructure, catchment, parks and recreation, and pollution prevention).

Each section shows work underway by individual agencies, but also identifies those collaborative activities where two or more agencies are working together.

The project status column shows progress status indicators as follows:

-  Achieved.
-  Taking place/on-track for completion within approved timeframes.
-  Not applicable/no data available.
-  Not complete, in progress, a risk but not an issue yet.




## Governance, tangata whenua engagement and involvement and programme management

	What we said we would do	What we achieved	Project Status
SHARED	Tauranga Moana Programme 2016/2017 Annual Report and Highlights summary. BOPRC, TCC, WBOPDC	2016/2017 annual report presented to relevant committee meetings.	
SHARED	Tauranga Moana Programme Annual Work Plan 2018/2019. BOPRC, TCC, WBOPDC	2018/2019 Annual Work Plan will be presented to relevant committee meetings.	
SHARED	State of the Moana Programme – Phase 1	This project is being integrated with the State of the Environment project.	
SHARED	Tangata whenua involvement and capacity building. BOPRC, TCC, WBOPDC	Working with Iwi and hapū on the State of the Environment Report (SoE). Meeting with iwi and hapū representatives to develop a partnership process to develop the report. Please refer to SoE reporting under the science section.  Focusing on tangata whenua relationships in relation to management of the three waters areas.	
BOPRC	Support Tauranga Moana Advisory Group (or subsequent co-governance group).	Administrative and technical support provided through meeting management, reports, guest speakers, presentations and workshops.	



	What we said we would do	What we achieved	Project Status
BOPRC	<p><i>Communications Strategy implementation 2017/2018:</i>            Deliver targeted communications material throughout the year as per the Communications Strategy and Plan.            Respond to media and communications opportunities and issues as they arise.</p>	<p>A communications strategy was created and implemented, delivering targeted content in the form of digital content (website/videos), dialogue through social media channels and also through proactive and responsive media opportunities.</p> <p><b>Website visits:</b> 6,291  <b>Most popular page:</b> bar cams and crossings  <b>Average time:</b> on Harbour related pages 02:09 minutes.</p> <p><b>Insight:</b> Traffic to website has stayed the same as previous years. Most people visit the harbour related content through unique searches rather than clicking links. Most searched terms on website were: 'coastal enviro plan', 'restore local estuary' and 'managing mangroves'.</p> <p><b>Media coverage:</b> Over the last six months there were 76 news items reaching an estimated reach of 1 million people nationally, equalling \$76,371 worth of free media. Many of our stories were published in national papers as well as in regional publications outside of the Bay of Plenty.</p>	●
BOPRC	<p><i>Perception Survey:</i>            Present the results of the Perceptions Study to Council by 30 June 2018.</p>	<p>Perception survey is on track to present the findings by 30 June 2018.</p>	●
BOPRC	<p><i>Happy Harbour Fun Day:</i>            Deliver a successful Tauranga Harbour event.</p>	<p>Happy Harbour Fun Day event scheduled for Saturday 3 March at Memorial Park. Aim is to provide family-friendly hands-on opportunities for people to learn about and be involved in harbour care, work and science. Event Manager in place to manage the event and planning is well underway.</p>	●
BOPRC	<p>Build capacity for the use of Mātauranga Māori for Tauranga Moana</p>	<p>Māori Policy are finalising the draft Mātauranga Māori Framework to be submitted and endorsed by Komiti Māori in February 2018. The Framework will be followed by an implementation guide developed by Māori Policy later in 2018.</p>	●



	What we said we would do	What we achieved	Project Status
<b>BOPRC</b>	<i>Tauranga Moana Iwi Management Plan:</i> Socialisation Implementation	A key focus for the last six months has been on supporting iwi with their State of the Moana actions from their management plan.	



## Integrated planning and modelling

	What we said we would do	What we achieved	Project Status
SHARED	<p><i>Water supply catchment management:</i></p> <p>Ongoing work through 2016/2017. BOPRC, TCC.</p>	<p>Works in the catchment are ongoing. These include:</p> <ul style="list-style-type: none"> <li>Fencing and planting riparian margins in association with BOPRC and WBOPDC, this has however slowed over the past few months.</li> <li>Wild kiwifruit and wilding pine pest plant control.</li> <li>Monitoring and managing acute, chronic and potential sources of pollution/contamination.</li> <li>Focus has been on preparing for 2017/18 harvests in an ecologically sustainable manner.</li> <li>Vandalised emergency response and awareness signage is being replaced on stream crossings.</li> </ul>	
SHARED	<p><i>Tauranga Harbour Inundation and Coastal Erosion:</i></p> <p>The outcome will be a robust, peer reviewed set of harbour inundation and erosion design levels that include climate change allowances. The design levels can then be consistently applied around the harbour by all agencies. BOPRC, TCC, WBOPDC.</p>	<p>Second Quality Assurance Workshop held in November.</p> <p>Erosion assessment on track to be completed by June 2018.</p> <p>Inundation model currently being calibrated. Additional tide gauging and bathymetry survey complete. Currently one month behind schedule due for completion June 2018</p>	
BOPRC	<p>Begin work on a co-governance document for Tauranga Moana - subject to resolution of the Tauranga Moana Framework.</p>	<p>The resolution of the Tauranga Moana Framework has been delayed. Consequently work has not begun on a co-governance document (Ngā Tai ki Mauao).</p>	
BOPRC	<p>Region-wide planning projects</p>	<p>Regional Coastal Environment Plan (RCEP) - final appeals with the High Court and Supreme Court. A decision is expected early 2018. The majority of the plan is operative.</p> <p>Plan changes to Regional Natural Resources Plan: Plan Change 9 (Water Allocation) hearings are being held in March 2018.</p> <p>Plan Change 11 (Geothermal) is under development.</p> <p>Plan Change 13 (Air) is to be notified February 2018.</p> <p>Plan Change 14 (OSET) draft is due mid-2018.</p>	



	What we said we would do	What we achieved	Project Status
BOPRC	Freshwater Futures – Tauranga Harbour Water Management Area	Information gathering and data collation has begun with some work to map existing land use. Engagement around how to involve partners and key stakeholders in the process has been initiated.	
BOPRC	<i>Flood management on Uretara Stream, Katikati:</i> Updated flood hazard maps and design levels for the Uretara Stream.	Request for quotes for the survey works have been provided to panel members. A site visit was organised for interested parties.	
TCC	<i>Integrated Stormwater Project:</i> Implement 'safety to persons' focussed level of service.	Continuation of various projects around the city to implement the 'safety to persons' focussed level of service (depth x velocity flood risk). Works are complete in Matua at two locations with one further project underway, each involving the purchase of residential land to open up constrained overland flowpaths. Depth x velocity flood mitigation scoping studies are also underway at 20 locations in the Waimapu, Kopurererua, Central Business District, Greerton, Welcome Bay and Kaitemako catchments. Outlet and pipeline upgrade works are nearing completion at Nikau Crescent / Port of Tauranga for flood mitigation of Mount North Catchments. Initially this will mitigate issues in Nikau Crescent and Maunganui Road, and then further work is planned to connect in wider Mount North catchments.	
TCC	Environment Strategy	Phase 1 of the project is now complete. As an output, a document titled "Background Information for the Tauranga Environment Strategy" has been publically released. The document summarises the learnings from Stage 1 of the project (which included the Emissions Inventory, State of Environment Report, 1:1 stakeholder interviews and community survey) and will be used in development of the strategy itself – Stage 2 of the project. Phase 2, developing the strategy is now underway and in the planning phase.	




## Science

	What we said we would do	What we achieved	Project Status
BOPRC	<p><i>State of the Environment Report</i></p> <p>Deliver a technical report on selection and calculation of SoE indicators for estuarine areas by 31 July 2017. Deliver a technical report on selection and calculation of SoE indicators for Tauranga Harbour catchment areas by 30 November 2017. Deliver SoE report by 30 June 2018</p>	<p>Report on selection and calculation of the SoE indicators is completed. This report will combine indicators for estuarine areas and the Tauranga Harbour catchment. It will be published at the same time as the SoE report. Currently collating and analysing data, drafting text and engaging with stakeholders about the SoE report.</p>	●
BOPRC	<p><i>Relationships with research providers:</i></p> <p>In accordance with the Chair in Coastal Science Memorandum of Agreement, the University of Waikato will:</p> <ul style="list-style-type: none"> <li>Report to BOPRC in June 2018 on relevant items or issues associated with the chair</li> </ul>	<p>Coastal Chair reported received July 2017</p>	●
BOPRC	<p><i>University of Waikato PhD student funding:</i></p> <p>Deliver a progress report on all BOPRC funded research projects by 30 April 2018.</p>	<p>Sought project proposals from relevant research staff at University of Waikato and have approved funding for four more student research projects to begin in 2018.</p>	●
BOPRC	<p><i>Manaaki Taha Moana-MTM 2 subtidal survey of Tauranga Harbour:</i></p> <p>Deliver a full peer reviewed report and habitat map on completion</p>	<p>Subtidal survey project is on track.</p>	●





	What we said we would do	What we achieved	Project Status
<b>BOPRC</b>	<i>Manaaki Te Awanui – MTM Coastal Cultural Health Index:</i> Deliver report and Coastal Cultural Health Index 2020, progress reports yearly (June 2018)	The Coastal Cultural Health Index project is on track.	



## Operations






### Bay of Plenty Regional Council

	What we said we would do	What we achieved	Project Status
SHARED	<p><i>Tauranga Harbour Margins Project:</i> An additional five new Harbour Management Plans in place. BOPRC, TCC, WBOPDC.</p>	No new Harbour Management Plans in place during the six month period.	
SHARED	<p><i>Tauranga Harbour Stream Works:</i> Stream bank repair and stabilisation of eroding banks undertaken as and when required within budget. BOPRC, WBOPDC.</p>	One stream bank repair and stabilisation plan undertaken in the Waitekohe catchment.	
SHARED	<p><i>Coast care:</i> Identified priority areas are actively managed and maintained with support from Coast Care partners and community volunteers. BOPRC, TCC, WBOPDC.</p>	Coast Care planted 41,000 plants this season, 3,500 volunteers donated their time equating to 11,500 hours. Planning started for next season with area for restoration being investigated now.	








SHARED	<p><i>Sea lettuce management:</i> Level of response depends on the severity of the 2017/2018 bloom. Ensure contracts with clean-up contractor and receiving site operators are finalised by 30 October 2017. BOPRC, TCC WBOPDC.</p>	<p>Agreements with clean-up contractor and receiving site operator finalised in mid-November 2017.</p> <p>A total of 6 separate clean-ups were carried out in the period. Three of these were at Pahoia, one at Ongare Point and two on the Kulim Park – Fergusson Park foreshore, Matua. Total estimated volume of 430 – 450 cubic metres of sea lettuce was cleared.</p> <p>Tauranga Harbour water temperatures have been several degrees warmer than usual right through winter, spring and summer 2017/18. While we cannot directly attribute cause and effect, these warmer temperatures most likely caused the patterns in sea lettuce growth recorded over the past year. The bloom “season” occurred several months earlier than usual before water temperatures continued to increase and likely got too warm for sea lettuce in mid – late December, causing growth to taper - off in late December – early January. The warmer winter water temperatures were also the likely cause of an extensive bloom through the Matahui to Ōmokoroa reach of the harbour during winter and for the first time since council organised clean-ups began in 2009 we needed to do a winter clean-up (in August), at Pahoia.</p> <p>Work is currently underway with the University of Waikato to explore the concept of collecting free floating sea lettuce using a specialised collection barge, the aim of which would be to reduce the volumes of material that ends up washing up on shore.</p>	●
SHARED	<p><i>Litter clean-ups:</i> Ongoing work throughout the year. BOPRC, TCC.</p>	<p>Between July and December over 300 students took part in 3 clean-ups in Welcome Bay, the Memorial Park foreshore and the Waimapu Estuary. Over 600kg of rubbish was cleared with 65kg diverted for recycling.</p>	●
SHARED	<p><i>IP3 Hazardous Activities and Industries List (HAIL) activity audits:</i> Ongoing work through 2017/2018. BOPRC, TCC, WBOPDC.</p>	<p>HAIL audits have been carried out at in the industrial areas of Greerton and Judea. Every business was visited with 100 business premises being fully audited. As a result of the audits four businesses were issued immediate notices to either cease an activity, instigate immediate behaviour change or alter the layout of their site.</p>	●









<b>SHARED</b>	<p><i>Regional Wastewater Overflow Forum:</i> Preparation of a region specific best practice guide to encompass wastewater overflow mitigation strategies, response and reporting procedures. BOPRC, TCC, WBOPDC.</p>	<p>This group has not met for over two years and needs to reconvene to review current status and future goals. At the last meeting members of the forum were tasked with developing initial draft content for various sections of the best practice guide.</p>	
<b>BOPRC</b>	<p><i>Catchment Action Plan implementation:</i> 50 additional kilometres of waterway margin in the Tauranga Harbour catchments protected to reduce sediment, nutrient and/or bacterial contamination of water. Two additional High Value Ecological Sites and four community led sites where biodiversity actively managed within the Tauranga Harbour Catchment. Development and roll out of story maps to replace existing catchment actions plans.</p>	<p>17 km of waterway margins have been protected, 56 ha of land use change implemented and 26 new Environmental Programmes signed up with landowners to protect water quality and biodiversity. Two new Environmental Programmes to protect a High Value Ecological Site at Works Road and Willoughby Road. Story map content has been drafted, working with GIS to develop the online applications. Omanawa Stream won the rivers award for the most improved river at the NZ River Awards. The award acknowledges a significant reduction in E-Coli bacteria levels which are a key indicator of swimmability in waterways.</p>	
<b>BOPRC</b>	<p><i>Uretara water quality investigation project:</i> Develop monitoring plan and commence collection</p>	<p>Monitoring plan for the Uretara has been developed and sample collection is underway.</p>	
<b>BOPRC</b>	<p><i>Katikati Hills to the Ocean – H2O Improvement Project:</i> Delivery of standard SLUI tools as part of a targeted approach to improve water quality in the Te Mania, Te Rereatukahia, Uretara and Tahawai catchments.</p>	<p>Four new Environmental Programmes in this area along with 10 previous programmes currently being implemented.</p>	
<b>BOPRC</b>	<p><i>Kaiate Taskforce:</i> Options paper prepared by October 2017 Plan of action prepared by December 2017</p>	<p>Options and an action plan will be going to Council for a decision early in the new year.</p>	







BOPRC	<p><i>Marine Biosecurity:</i> Continued delivery of an intensive surveillance programme through 2017/2018 Implementation of response plans where required Implementation of the SSMP for fanworm and tunicates</p>	<p>Completed two rounds of surveillance of the Marinas as well as additional surveillance of wharfs, moorings, bridges and benthic habitat. 1994 boat hulls Inspected for marine pests. Mediterranean fanworm was found at 12 sites, Styela clava was found at 25 sites. Under the SSMPs four Vessels were hauled out of the water and pests removed and one larger vessel (too large to haul out) was wrapped and treated with Chlorine while in the water.</p>	
BOPRC	<p><i>Ongoing support of the Kaimai Mamaku Catchments Forum:</i> Continued participation in the joint agency project. Continued support of the Forum.</p>	<p>Kaimai Catchments Forum workshop was held 6 October at ASB Arena to discuss the Operational Plan and make decisions on the future of the forum. There was overwhelming support for the forum to continue but progress is required through creating a steering group and project groups. A pest animal control strategy is currently being developed.</p>	
BOPRC	<p>Predator Free projects</p>	<p>Predator Free Kaimai Mamaku project developed with the Forum, DoC, Waikato Regional Council and hapū. Submitted to Predator Free 2050 for funding but unsuccessful. Currently working with PF2050 Ltd to get the project "investment ready". Working with BCA, Envirohub, TCC and Landcare Trust on getting the PF Tauranga project underway in Matua and Merivale in March.</p>	
BOPRC	<p><i>Audit of mangrove distribution and associated issues for tangata whenua</i></p>	<p>Audit of mangrove distribution and associated issues for tangata whenua project has commenced. Engagement is being undertaken with kaitiaki throughout Tauranga Moana on mangrove concerns and aspirations.</p>	
BOPRC	<p><i>Ongoing estuary care group support:</i> Estuary Care groups are satisfied with the level of service they receive from Council.</p>	<p>11 Estuary Care Groups have been supported through Leader's Forums, working bee support, collaborating on new projects, resolving estuary related queries, pest plant control, communication of information, and providing resources such as funding, equipment and pest control materials. Compliance support also provided including commissioning PDP to complete a planning assessment of how the new Coastal Plan rules affect Estuary Care Group activities in each estuary. Groups generally satisfied with level of support and have positive relationships with BOPRC. Estuary Care Leaders Forum held.</p>	



BOPRC	<p><i>Seedling mangrove management:</i> Up to 600 ha per annum of mechanical mangrove seedling maintenance.</p>	<p>First operational (fully certified) season completed in July 2017. Four estuaries mown with the balance not visited by the hovercraft due to very sparse mangrove seedling growth. Remaining estuaries have been managed by other means such as working bees and contractors. Project de-brief held. Seeking an additional pilot for the project ahead of next season. Scheduled servicing and maintenance taking place at Air Tech Industries as well as work to refurbish the engine and reduce weight on the craft. This will improve performance.</p>	
BOPRC	<p><i>Mature mangrove management:</i> Mature mechanical mangrove management as required.</p>	<p>No significant mature removal undertaken during this reporting period.</p>	
BOPRC	<p><i>Opureora Channel dredging:</i> Complete dredging by 31 August 2017.</p>	<p>Dredging project was completed in early - mid October as allowed by consent works window extensions. Opureora Spit disposal sites have been rehabilitated successfully.</p>	
BOPRC	<p><i>24/7 Oil spill response and Navigation Safety:</i> <b>Long Term Plan KPI:</b> Percentage of time to maintain 24/7 response to navigational incidents and maritime oil spills is in place.</p>	<p>24/7 Navigation safety coverage and oil spill response was achieved to date. 12 spill incidents have been reported to Maritime New Zealand during the reporting period.</p>	
BOPRC	<p><i>Audit on Port and Harbour Safety Management systems:</i> Audit to be completed between October - November 2017</p>	<p>Audit completed in August.</p>	
BOPRC	<p><i>Navigation and Safety Bylaw:</i> Ongoing education throughout 2017/2018 Signage updated by November 2017</p>	<p>As part of the new Navigation and Safety bylaw jetski owners are now required to register their vessels. Signage has been updated.</p>	





BOPRC	<p><i>Ongoing Regulatory Compliance work:</i> Compliance and impact monitoring of sites/consents to be in accordance with Council Policy Report on compliance air discharges on consented industrial sites <b>Long Term Plan KPI:</b> All urgent complaints to the Pollution Hotline are responded to within 12 hours and all non-urgent complaints are responded to within three working days</p>	<p>Meeting KPI requirements with urgent and non-urgent complaints. 478 consented activity inspections were carried out during the reporting period. 965 service requests (complaints) were dealt with during the reporting period.</p>	
BOPRC	<p><i>Maleme Street drain discharge water quality study:</i> 12 different sampling locations four times in Maleme Street drain to get a longitudinal idea of where the majority of Copper, Lead and Zinc are coming from prior to entering the Waimapu estuary.  Deliver a report at the end of the study.</p>	<p>Project has been completed and report delivered. The sampling shows degraded water quality is apparent as the water flows towards the Waimapu Stream.</p>	
BOPRC	<p><i>Identification of discharge points phase two:</i> Recording discharge points around the Harbour margin in Western Bay. Complete identification of illegal structures. Identify fish passage. Phase two of this project will only be viable once it has been determined the information collected in Phase one has scientific validity and is worthy data to be collecting.</p>	<p>Although it was decided identifying all the private drains running into Tauranga Harbour from the Western Bay harbour margins, and trying to complete this project at least as far as Katikati, it has not been possible to achieve using our students this summer, due to other projects being considered more important.  Phase 1 of the project, whilst having been considered a “nice to have” information collecting exercise, it was decided by the Science team that analysing flow rates and potential for contaminant discharge from private farm drains is a project that is unlikely to happen as a priority is working out flow rates and potential for contaminant discharge from all the natural waterways that flow from the Kaimai into the harbour. This project is therefore on hold for the medium term.</p>	
TCC	<p><i>Stormwater Management:</i> Long-term stormwater and receiving environment monitoring data for stormwater catchment across the city Annual or five yearly monitoring reports presented to stakeholders and consenting authority from which to determine the requirement for further Catchment Management Plans or stormwater treatment</p>	<p>An initial 4.5 yearly review report has been completed, including a new monitoring plan highlighting priority catchments to enable funding proposals to be included in the draft Long Term plan. The five yearly report including the final six months of monitoring data is due end of February 2018.</p>	









TCC	<p><i>Wastewater Management:</i>          Complete review of the Environmental Mitigation and Enhancement Fund          Review of Wastewater Overflow prevention and response procedures          Ancillary works for the Southern Pipeline to be completed in the Paper Road by end of August          Complete Memorial Park Pump Station “wet” commissions          Harbour crossing for the Southern Pipeline to be completed by December 2017</p>	<p>The review of the Environmental Mitigation and Enhancement Fund is ongoing with a series of workshops planned to enable feedback on draft guidelines and the draft Cultural and Environmental Monitoring Programme.</p> <p>Southern Pipeline</p> <ul style="list-style-type: none"> <li>• Matapihi to Te Maunga Pipeline – This element consists of a 710mm diameter High Density Polyethylene (HDPE) pipe and is now complete. It will be connected to the Harbour Crossing pipeline once the latter is completed.</li> <li>• Harbour Crossing - This element consists of a 710mm diameter High Density Polyethylene (HDPE) pipe protected within a steel sleeve under the harbour from Memorial Park to the Matapihi peninsula at the end of Matapihi Road. This double contained pipeline will be further protected on each shoreline by a 1.5m diameter heavy-walled steel sleeve which will extend down approximately 50m from the Matapihi and Memorial Park ends. The pipe across the harbour will be connected to already-complete elements of the Southern Pipeline at the Matapihi and Memorial Park ends. Drilling for the pipe crossing has experienced some challenges that have led to delays. These are being worked through at the current time and the construction programme is under review by the contractor.</li> </ul> <p>The UV Plant at Te Maunga has been running since mid-September although still in the commissioning phase due to a number of technical issues. Variation to consent to allow maintenance stand down period was successful.</p> <p>The contract with the preferred tenderer is awaiting sign off. Construction is expected to be completed November 2018.</p>	
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TCC	<p><i>Three Waters Education Programme:</i> Ongoing work through 2017/2018.</p>	<p>The Waterline schools programme has been presented to approximately 26 schools. The Great Waste Race was delivered to approximately 35 kindergarten classes.</p> <p>Toi Ohomai engineering students were presented to on water management and pollution prevention.</p> <p>16 Schools attended Tauranga City Council activities at the Hands on Water Expo. Students participated in the Great Drain Game and storm water pollution protection activity.</p> <p>Waterline in home advisory service continues to be promoted and utilized by Tauranga residents.</p> <p>Development of new water educational billboards – “Wet Wipes Block Pipes” and “Bin Your Butts”. Four billboards will be located at the Mount, Bureta and Greerton.</p> <p>Promotion of the Waterline Service via City News and Weekend Sun advertisement.</p> <p>Water restrictions come into force during December. Direct engagement with residents that are in breach of the restrictions. Water restriction billboards are in place alongside radio and press advertising.</p>	
TCC	<p><i>Pollution Prevention Programme:</i> Completion of industry or area specific audit reports summarising the outcome of audits, issues identified and sites for referral to BOPRC for consent consideration and/or enforcement.</p> <p>Urgent Pollution Incidents must be attended within 1 hour (Maintenance contractors KPI).</p>	<p>Octobers “Don’t Paint the Drain” competition held throughout Tauranga and the Western Bay in participating paint stores was a success with over 400 entries. Winners received paint vouchers and swim with the dolphin passes.</p> <p>TCC referred one site in Maleme Street to BOPRC for a new stormwater discharge consent.</p> <p>In collaboration with BOPRC officers attended incidents that led to two catchment mail outs for paint wash discharge to stormwater, two warnings for discharges to stormwater, and one abatement notice for repeated discharges to stormwater.</p>	



<b>TCC</b>	<p><i>Harbour margin parks ecological restoration:</i>            Plant and animal pest control and native planting to improve ecological integrity            Beach sand nourishment            Sea walls            Boardwalks            Compliance and impact monitoring of sites/activity to be in accordance with City Plan and restoration plans for each site.</p>	<p>Planting of native plants is being carried out as per the planting plans for Matua saltmarsh, Waikareao and Waimapu Fraser Street to Yatton Park. Weed control was undertaken.            2300 m/cu of sand was added to Maxwells Road Reserve beach and 640 m/cu of sand added onto Pilot Bay.            Timber sea walls totalling 85m was repaired at 18th Avenue, and Shaw Place, Matua.</p>	
<b>TCC</b>	<p><i>Beaches Bylaw Review:</i>            Review of the Bylaw is to be carried out in the 2017/2018 financial year</p>	<p>The review is scheduled to start in early 2018.</p>	
<b>WBOPDC</b>	<p><i>District wide natural environment support:</i>            Key community groups are encouraged to continue to be viable in the future</p>	<p>Care groups continue to be supported.</p>	
<b>WBOPDC</b>	<p><i>Ongare Wastewater Scheme:</i>            Reticulated community system by 2017.</p>	<p>Council have resolved to proceed with the wastewater scheme and are in the process of finalising the resource consent and Heritage NZ requirements and subject to consents being granted, plan to commence with the implementation of the work in March 2018.</p>	
<b>WBOPDC</b>	<p><i>Te Puna West Wastewater Scheme:</i>            Reticulated community system by 2017.</p>	<p>The wastewater scheme is complete and operational.</p>	
<b>WBOPDC</b>	<p><i>Katikati wastewater treatment investigations:</i>            Re-consenting of the pipeline and outfall by November 2016.</p>	<p>Resource consent application has been lodged. A working group has been established consisting of Tangata Whenua, Councillors and Community Board representatives.</p>	



WBOPDC	<i>District-wide fencing subsidies:</i> Ongoing work through 2017/2018.	Funds allocated as per signed management plans.	
WBOPDC	<i>Seawalls:</i> Obtain required consents from Regional Council	Opus Consultants have been contracted to pull together the resource consent for the sea wall at Matahui Road.	
WBOPDC	<i>Ōmokoroa slips:</i> Monitor slips Update public on any progress	The Coastal Erosion Responses Policy was adopted September 2017. Council invested in landslide research to be undertaken by the University of Waikato.	
WBOPDC	<i>Cycleway</i> Required consents obtained	Tinopai to Lynley Park section of the cycleway has been completed and was formally opened by the Minister of Transport on 11 July 2017. Consents have been granted for the three bridges. The cycleway route is expected to be completed by the end of 2018.	
WBOPDC	<i>Boat ramps</i> Consents obtained Physical works completed by 1 October 2017	Opureora and Ōmokoroa boat ramp works have been completed. Consideration is being given in the long term plan for new boat ramps in the northern and southern basin of the harbour.	



# Financials

Bay of Plenty Regional Council Budget	2017/18 Budget	Expenditure to Date
Maritime	\$847,570	\$176,414
Tauranga Catchments	\$2,814,000	\$2,264,458
Integrated planning	\$340,000	\$135,470
Engineering	\$190,000	\$3,190
Regulatory Compliance	\$500,000	\$12,882
Science	\$402,271	\$154,925
Marine Biosecurity	\$171,360	\$31,903
<b>Total</b>	<b>\$5,265,201</b>	<b>\$2,779,242</b>

Tauranga City Council Budget	2017/18 Budget	Expenditure to Date
Recreation and Natural Environmental	\$995,471	\$87,000
Stormwater Pollution Prevention	\$570,000	\$125,000
Wastewater Effects Mitigation	\$18,678,600	\$10,150,000
Integrated Stormwater Project	\$7,700,000	\$4,840,000
Tauranga Harbour Inundation and Coastal Erosion	\$100,000	\$239,000
<b>Total</b>	<b>\$28,044,071</b>	<b>\$15,441,000</b>

Western Bay of Plenty District Council Budget	2017/18 Budget	Expenditure to Date
District Wide Fencing Subsidies and District Wide Natural Environmental Support	\$72,500	\$0
Tauranga Catchments Contribution (Coast Care, HMP's, Stream Works and Inundation and Coastal Erosion)	\$80,000	\$35,735
Te Puna West Wastewater Scheme	\$2,600,000	\$2,006,438
Ongare Wastewater Scheme	\$1,700,000	\$459,790
<b>Total</b>	<b>\$4,452,500</b>	<b>\$2,501,963</b>



Receives Only – No Decisions

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Sarah Omundsen, General Manager - Catchment Management (Temporary)

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## Integrated Catchments Update

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### Executive Summary

This report provides an update on the operational activities of the catchment management teams across the region.

While the Regional Direction and Delivery Committee receive annual plans and progress reports from specific catchment programmes (e.g. Rotorua Te Arawa Lakes Programme, Tauranga Moana Programme) these tend to focus on high level projects in place with programme partners. The intent of this regular update is to provide the Committee with operational updates on the specific biosecurity, biodiversity and land management work of catchment teams.

### Recommendations

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Integrated Catchments Update;**

#### **1 Purpose**

This report provides an update to the Committee on the operational activities of the catchment management teams across the region.

#### **2 Regional Overview**

##### **2.1 Biodiversity**

The current Long Term Plan includes KPIs for each catchment team around the number of High Value Ecological sites and non High Value Ecological site (community sites) under active management. To date the Eastern, Rangitāiki, Kaituna and Tauranga Harbour Catchments have achieved their biodiversity KPIs for 2017/18 and the Rotorua Lakes Catchment team are on track to achieve their KPIs by the end of the financial year.

A new regional KPI has been developed for the next Long Term Plan which targets Priority Biodiversity Sites across the region in order to implement the new Biodiversity Grants Policy (2017). This will change the way biodiversity is delivered and measured. A group of catchment staff are working through this over the next few months and will have a plan in place for the new financial year.

## 2.2 Water quality

Currently, water quality KPIs in the Long Term Plan are based around the kilometres of waterways where bacteria, sediment and/or nutrient contamination has been reduced by Council and landowner actions, and lakes meeting their TLIs. Progress in the year to date on these KPIs is as follows:

	Annual waterway margin KPI (km)	Year to date actuals (km)	Nitrogen reduction KPI
Eastern	10	10	-
Rangitaiki	10	5	-
Rotorua	-	-	Slow progress
Kaituna	31	11	-
Tauranga	50	25	-

A single new KPI has been proposed in the next Long Term Plan to replace the fencing KPI:

*Increase the percentage of monitored river and stream sites that meet the 'swimmability' requirements under the National Policy Statement for Freshwater Management" from 82% now to 96% in ten years.*

This is an aspirational KPI that will involve many teams in Council, and is reliant on the efforts of landowners and partner organisations as well. Staff are currently developing a planned approach to achieving this KPI, which will be reflected in the work plans of the individual catchment teams.

## 2.3 Biosecurity

### Asian Paddle Crab (*Charybdis Japonica*)

Port surveillance undertaken by NIWA on behalf of MPI captured two Asian paddle crabs in the Tauranga Harbour in February 2018. A mature male and female pair were discovered in the same pot near Matapihi bridge. This is the first discovery in the region and work is underway to determine current extent of the incursion and what management options are appropriate or feasible.

### Spartina

Spartina within the Maketū estuary has been controlled after many years of planning. It was generally well received by the community, utilised local contractors, and covered the majority of the current infestation. Restoration planting will be undertaken in the coming months to alleviate erosion concerns at particular sites.

### Catfish

Recent catches in the catfish programme are showing alarming trends. Netting since Christmas has shown a large increase in both numbers and distribution including large

catches outside of Te Weta Bay, primarily around the Okere inlet. Catfish have also been caught within the Ōhau Channel including at Marama Resort which is close to the weir which connects Lake Rotorua and the Ōhau Channel. A separate report on catfish is included in this agenda.

### **Biological control**

Tradescantia yellow leaf spot fungus biocontrol agent was released early March at a site near Rotorua. This is the first release of this agent in the world and will complement other biocontrol agents for Tradescantia.

### **National Wallaby management**

Nationally, dama wallabies occupy 1864 km<sup>2</sup> in Bay of Plenty and Waikato regions and Bennett's wallabies occupy 5322 km<sup>2</sup> in South Canterbury. Dama, parma, swamp and brushtailed rock wallabies are present on Kawau Island in the Hauraki Gulf.

Waikato, Canterbury, Otago and Bay of Plenty Regional Councils with DOC and MPI have initiated a project aimed at improving the management of wallabies nationally. This project draws on the findings of a report commissioned by MPI that estimates that if wallabies continue to spread at their current rate the economic impacts of these pests will increase from an estimated \$28m to nearly \$84m in the next 10 years. It is also acknowledged that Councils will struggle to contain these pests on current budgets.

### **Velvetleaf**

The velvetleaf detector dog was deployed to check two sites in the Bay of Plenty region currently under surveillance. No velvetleaf was detected at the Pugh Road site where control was undertaken in late 2017. No velvetleaf was found at the second site. Velvetleaf has never been detected at this site and after 3 years of surveillance staff are confident the plant is not present.

## **2.4 Regional parks**

### **Pāpāmoa Hills Regional Park grazing licence**

Pāpāmoa Hills has been farmed by the McNaughton family since 1886. The McNaughton's sold the Pāpāmoa Hills farm (known then as 'Glenmore') to local councils in 2002 and a regional park was established for the community. The McNaughton family continued to manage the farm via a grazing licence with council. The McNaughtons have recently expressed that they will not be renewing the licence to farm the regional park. Good pasture and general farm management is an important role in the Pāpāmoa Hills operation and staff are currently investigating options to replace the McNaughtons as park graziers. The total grazing area is approx. 110ha effective.

### **Regional Park Activity Peer Review**

The NZ Parks Agencies Managers Group has offered to undertake a peer review of the Regional Parks Activity at Regional Council. The review will be held in early April and the review panel will consist of experts from other parks agencies in NZ and Australia. The review will include a series of interviews with key stakeholders, including Councillors, analysis of key strategies and plans for parks and produce a scorecard of results across a range of park governance and management aspects. The final report

will also include recommendations for improvements and highlight areas of strength. Councillors Clark, MacDonald, Nees and Crosby have agreed to participate in this review.

### **3 Catchments Overview**

#### **3.1 Rotorua**

##### **KPI progress**

Nitrogen reductions in Lake Rotorua (made up of Incentives and Gorse agreements so far) continue to be behind target. This is largely because they are measured on a cumulative basis, so if the target isn't met one year it is more difficult to meet the next.

However, despite the continued uncertainty around Plan Change 10, steady progress is still being made with nitrogen reduction to the lake through the Gorse and Incentives Schemes. 19.2 tonne of nitrogen is now either secured or very close to being secured via incentives agreements. Also, around 123 hectares of gorse conversion is either secured in agreements or close. Staff are still working on calculating nitrogen gains from gorse conversion but this is likely to be between 3-4 tonnes of nitrogen.

The two biodiversity KPI's will be met this year. Critical to this is a monitoring programme of existing protection areas which continues to be implemented.

##### **Plan Change 10**

Proposed Plan Change 10 now has legal effect and the Regional Council is required to commence its implementation. This includes processing resource consent applications for properties over 40 hectares and the collection of data for properties that meet the Permitted Activity requirements.

Letters were sent to around 1500 rural landowners in early March, advising them of their obligations under Plan Change 10 and asking them to engage with staff for assistance to meet these. Around 1100 of these landowners are under five hectares and have no commercial activity so aren't required to take action. However, the team have developed a lifestyle block guide outlining good management practice these landowners can implement on their property. 27 calls have been received in response to the letter, at the time of writing.

The Advice and Support Service related to the implementation of Plan Change 10 has had excellent uptake. 80 of an estimated 95 properties over 40 hectares in the Lake Rotorua catchment are enrolled in the service. Under Proposed Plan Change 10 these properties are required to apply for resource consent now. A further 49 properties, under 40 hectares, are also enrolled in the service.

##### **Low Nitrogen Land Use Fund**

Round One of the Low Nitrogen Land Use Fund is now wrapping up. Projects completed in that round were the Land Resource Guide ([landusenz.org.nz](http://landusenz.org.nz)); the D-Nitro Decision Support Tool and Extension ([dnitro.co.nz](http://dnitro.co.nz)); a Hazelnut trial; Whenua Ora – a detailed farm system analysis looking at ways to reduce leaching and increase profitability; nine best practice videos ([rotorualakes.co.nz/land-use-solutions](http://rotorualakes.co.nz/land-use-solutions)); and Ngāti Whakaue Tribal lands business cases for multiple land uses with trials of these still being negotiated.



In March the Rotorua Te Arawa Lakes Strategy Group approved three next steps for the fund, as below:

- Step One will be further research on basic tourist opportunities and additional accommodation opportunities for the catchment which are currently not included in the Land Resource Guide.
- Step Two will be extension of information and education on the alternative land uses identified by the first round of funding. This may include workshops, field trips and general dissemination of information.
- Step Three will be seeking Expressions of Interest from catchment land owners for trialling low nitrogen land uses with the aim of negotiating land use change trials before the end of 2018.

### **Paradise Valley Care Group**

NZ Landcare Trust are facilitating the establishment of a Paradise Valley Care Group. They recently met and agreed to some goals related to stormwater drainage/culverts and roadside management, communication and water quality. It is likely that the group will become formalised at their next meeting.

### **Tarawera Farm Environment Plan project**

The Tarawera Farm Environment Plan project aims to develop 50 voluntary FEPs for pastoral farms in the inner and outer Tarawera lakes catchments, covering lakes: Rerewhakaitu, Rotomahana, Rotokakahi, Okaro and Tarawera. Fonterra and Beef and Lamb NZ have been working with relevant drystock and dairy farmers through workshops and training sessions. So far 27 Plans are complete and 13 are in progress. It is anticipated that all Plans will be completed by the end of March 2018, subject to farmer willingness to participate.

### **Environmental Programmes**

Four new Environmental Programmes have been signed in the Rotorua Catchments so far this financial year. These are largely for riparian management and erosion control in Paradise Valley, in response to severe weather events experienced last year.

## **3.2 Eastern**

### **KPI progress**

13 kms and 5km of waterway margin has been protected so far this year in the Eastern and Rangitāiki catchments respectively, with an annual target of 10km each. The two biodiversity KPIs have been met for the year.

### **Waiōtahe Catchment**

Fonterra have undertaken farm assessments within the Waiōtahe catchment for run-off hotspots, with almost all landowners willingly participating. Programmes continue to be implemented to secure waterways and to extend to protecting wetlands in the catchment.

### **Environmental Programmes**

- Nine new Environmental Programmes have been signed in the Eastern Catchments and six in the Rangitāiki Catchment this financial year so far, in addition to the ongoing works in existing agreements.
- The Rangitāiki Wetland Restoration project Deed funding is ready for signing by Regional Council and MfE. The funding grant is for \$1.5M (50% of the project).
- Significant fencing around the Waiohau area has achieved protection of most of the waterways in this area.
- An agreement from a third landowner of Lambert's Wetland (43 ha near Pūtauaki) has been reached to secure majority of the site for management. Fencing will secure the remainder of the site from stock, a significant achievement.
- Waterway connections have been completed at a wetland construction project at Nukuhou, Ōhiwa Harbour. The wetland was specifically constructed to take advantage of tidal influence and the saltwater wedge to provide inanga spawning and rearing habitat, as well as general wetland habitat for other fish species.

### 3.3 Tauranga

#### **KPI progress**

25 kms of waterway margin has been protected so far this year with an annual target of 50km. The two biodiversity KPIs have been met for the year

#### **Happy Harbour Fun Day**

A successful Happy Harbour Fun Day event was held on 3 March with approximately 3000 people attending. The goal of event was to help the community connect to their environment through a family friendly event that provided kids with a chance to learn about the harbour and what we do through fun, hands on experiments and experiences.

#### **Kaimai Mamaku Catchments Forum**

Regional Council are a key stakeholder on the Kaimai Mamaku Catchments Forum along with the Department of Conservation and Waikato Regional Council. A Pest Management Plan for the Kaimai Mamaku forest is currently being developed by a consultant and the first stage, an issues and options document, has just been released. Recruitment of a coordinator for the Forum is underway.

#### **Industry engagement**

Land Management staff continue to maintain good relationships with industry bodies and have recently attended field days about *Mycoplasma bovis*, along with general Dairy NZ field days. We have also been involved with Volatile World, a Sustainable Farming Fund project set up to look at improving the use of deferred grazing in pasture management on the hill country. Staff also met with Fonterra to go through their Farm Environment Plan process.

## **Land development in the Tauranga Catchments**

Staff have provided a land management and ecology perspective to discussions with Tauranga City Council planners on the proposed Tauriko West development and continue to monitor the Tauranga Northern Link consenting process which is currently at the hearing stage.

## **Environmental Programmes**

- 26 new Environmental Programmes have been signed in the Tauranga Catchments this financial year so far, in addition to the ongoing works in existing agreements.
- The Katikati Hills to the Ocean - H2O Improvement project Deed funding is being prepared for signing by the Uretara Estuary Managers, BOPRC and MfE. The funding grant is for \$250K (50% of the project).
- Project Parore is a pilot for the H2O Improvement project, looking at an integrated management approach to the ecological restoration of Te Mania Stream. A group of enthusiastic locals and landowners have already begun monitoring the Te Mania catchment at 23 sites for a wide range of water quality indicators, benthic bugs, fish, insects, vegetation and general biodiversity.

### **3.4 Kaituna**

#### **KPI progress**

11 kms of waterway margin has been protected so far this year with an annual target of 31km. The two biodiversity KPIs have been met for the year.

#### **Paraiti Stream sub-catchment group**

Staff are working with landowners in the Paraiti sub-catchment, a 3,404 ha area, to form a stream care group focused on achieving catchment scale environmental outcomes and education.

#### **Te Pourepo o Kaituna wetland construction work**

Construction of 4ha of new wetland habitat including works to improve hydrological connectivity, biodiversity value and water reticulation has been completed at Kaituna wetland. This marks the beginning of the wider Te Pourepo o Kaituna wetland project aiming to create up to 80ha of indigenous wetland in the lower Kaituna catchment. Negotiations are in progress with Ngāti Whakaue, Tapuika and the Office of Treaty Settlements around the potential future inclusion of a 27.8 hectare land block currently held in the land bank for future treaty settlements.

#### **Kaituna catchments annual snapshot survey of water quality**

The second annual catchment water quality sampling survey was completed in November 2017. The primary purpose of this 'synoptic survey' is to identify hotspots for water quality and use the information to subsequently engage with individual and groups of landowners. The results from November 2017 sampling round have been collated and averaged with previous results.

### **Fish passage assessment / fish survey**

Fish passage assessment undertaken the lower Kaituna catchment. Staff have improved fish passage at six structures over the past two years in collaboration with the asset owners, and will continue to seek opportunities to do this.

Staff are conducting a fish survey at Whakapoukorero Wetland and adjoining drains to determine what species are present. This information will help with future improvement of fish connectivity within the wetland. Freshwater invertebrates will also be collected throughout the wetland to get baseline invertebrate community information.

### **Environmental Programmes**

- 12 new Environmental Programmes have been signed in the Kaituna Catchments this financial year so far, in addition to the ongoing works in existing agreements.

## **4 Implications for Maori**

Catchment management staff work closely with Maori at both a governance level as well as an operational level. At the governance level, all four catchments have a co-governance arrangement in place and these have oversight of the work programmes the teams are delivering.

Operationally, staff work directly with iwi, hapū, marae and trusts on a number of restoration projects to improve the health of land and water. Operational opportunities are identified through relationships that staff have with kaitiaki and resource managers. They are also identified through Hapū Management Plans, as staff specifically use these documents to understand the priorities and areas of significance for hapū throughout the catchments.

## **5 Council's Accountability Framework**

### **5.1 Community Outcomes**

This project/proposal directly contributes to the Environmental Protection and Water Quality and Quantity Community Outcomes in the council's Long Term Plan 2015 - 2025.

### **5.2 Long Term Plan Alignment**

This work is planned under the Integrated Catchments Activities in the Long Term Plan 2015-2025.

#### **Current Budget Implications**

This work is being undertaken within the current budget for the Integrated Catchments Activities in the Annual Plan 2017/18.

#### **Future Budget Implications**

There are no future budget implications of this report.

Heidi Fraser

**Programme Coordinator Integrated Catchments**

**for General Manager - Catchment Management (Temporary)**

**22 March 2018**





**Receives Only – No Decisions**

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Chris Ingle, General Manager, Integrated Catchments

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## **Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme - Upper Whakatāne River Addendum**

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### **Executive Summary**

The purpose of this report is to present the latest bed level survey information and analysis of the Upper Whakatāne River and to recommend an annual ongoing gravel extraction volume to maintain desired river bed levels.

The survey information and bed level analysis included in this report forms part of the Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme which was last updated in 2010. This Upper Whakatāne Addendum will add the latest analysis to inform gravel extraction decisions.

The latest information shows river bed levels have declined in the top section of the reach above Ohotu Bridge, and gravel extraction in this section will only be undertaken for river management purposes until recovery has taken place and desired bed levels are achieved.

### **Recommendations**

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1. Receives the report, Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme - Upper Whakatāne River Addendum;**
- 2. Notes that an annual extraction quantity of 30,000 m<sup>3</sup> has been recommended for this reach of river;**
- 3. Notes that gravel extraction in the top section of the reach, above Ohotu Bridge, will only be undertaken for river management purposes until bed level recovery has taken place and desired bed levels are achieved.**

## **1 Introduction**

The April 2017 rainfall event associated with ex-tropical cyclone Debbie resulted in record high flood flows in the Whakatāne River. The flow in this river reached a 1 in 500 year return period at the peak of the April floods, the largest flow ever recorded. As a result of this magnitude river flood event, a re-survey of the bed level was required to enable appropriate river management decision making to take into account the new riverbed levels.

The purpose of this report is to present the latest bed level survey information and analysis of the Upper Whakatāne River and to recommend an annual ongoing gravel extraction volume to maintain the riverbed at desired river bed levels.

The Whakatāne riverbed survey memorandum is attached as Appendix 1 to this report.

## **2 Survey Results and Management Implications**

The latest information shows riverbed levels have declined in the top section of the reach of the Whakatāne River above Ohotu Bridge. It is therefore recommended that any gravel extraction from this section of the riverbed only be undertaken for river management purposes, until full recovery has taken place and desired bed levels are achieved.

See the attached memorandum (Appendix 1) for greater detail.

## **3 Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme**

The Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme is a Regional Council programme that records and re-surveys 15 stream and river beds across the Bay of Plenty and archives the cross section data for ongoing comparison and analysis.

The survey information and bed level analysis included in this report forms part of the Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme which was last updated in 2010. This Upper Whakatāne Addendum will add the latest analysis to inform gravel extraction decisions regarding this river system.

Riverbed survey data allows the Council staff to make management decisions around appropriate gravel extraction from different sites up and down each river system. Over time, repeat cross sections allow a sustainable extraction rate to be established, taking into account changes caused by flood events that shift gravel downstream, and often replenish riverbed levels from upstream sources.

## **4 Future Surveys**

Surveys of other riverbeds affected by last year's flood event are also scheduled, and the results of these surveys will be reported to the Regional Direction and Delivery Committee as they become available. A similar approach of adding any new riverbed survey information to the Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme 2010 as an addendum, will occur.



## **5 Council's Accountability Framework**

### **5.1 Community Outcomes**

This monitoring programme directly contributes to the Resilience and Safety Community Outcome in the council's Long Term Plan 2015-2025.

### **5.2 Long Term Plan Alignment**

This work is planned under the Flood Protection and Control Group of Activities in the Long Term Plan 2015-2025.

#### **Current Budget Implications**

This work is being undertaken within the current budget for the Flood Protection and Control Group of Activities in the Annual Plan 2017/18.

#### **Future Budget Implications**

Future work on Natural Environment Regional Monitoring Network: River and Stream Channel Monitoring Programme is provided for in Council's Long Term Plan 2018-2028.

Roger Waugh  
**Rivers and Drainage Assets Manager**

**for General Manager, Integrated Catchments**

**21 March 2018**



# **APPENDIX 1**

## **NERMN Memo Upper Whakatane River March 2018**



# MEMORANDUM



**To:** Roger Waugh  
**Programme Leader (Rivers and Drainage)**

**From:** Ingrid Pak  
**Environmental Engineer**

**Date:** 15 February 2018

**File Ref:**

**Subject:** Upper Whakatane River NERMN Gravel analysis

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I have undertaken gravel analysis of the Upper Whakatāne River ahead of the yet to be published NERMN River and Stream Channel Monitoring Report (NERMN Report). The last NERMN report was published in 2010 (Pak & Bates, Environmental Publication 2010/16).

The NERMN analysis provides BOPRC with data on available gravel for extraction and assists in setting maximum annual extraction rates.

River cross-section surveys are carried out regularly and the data is then stored and analysed within the Hilltop database and Excel.

The large floods experienced in the Eastern Bay of Plenty in 1998 and 2004 were a major influence on changes to gravel volumes over time, and it can be expected that the April 2017 flood will have a similar effect in the years to come.

The Upper Whakatāne River cross sections (Cross-sections 25a to 57) were most recently resurveyed in March 2012 and February 2015 (post last publication of NERMN report). Cross-sections 47 to 57 have been resurveyed in late 2017 (post April 2017 flood) and cross-sections 51 and 54 were surveyed again early 2018. The surveys prior to 2012 include June 2003, August 2004, January 2006 and May 2008. As in previous reports, the full width analysis includes all cross sections from 25a to 57. The active channel analysis includes cross sections 25a to 44. Figure 1 shows a map of cross-section locations.

### **Full width volume analysis:**

Overall analysis since early 1998 shows an overall volume gain of just over 1Mio m<sup>3</sup> of material within this reach, about 53,500m<sup>3</sup> per year.

A summary of volume changes for the full width since 1998 is given in Table 1 and Figure 2.

2015 – DEC 2017:

Within the reach from cross-section 47 to 57 a total **volume loss of 226,000m<sup>3</sup>** was recorded between the 2015 and December 2017 survey. This is likely to be attributed to the reworking of the channel during the major April 2017 floods and smaller floods in the period. Cross-sections 51 and 54 have been resurveyed in January 2018 and show a net increase in volume since the 2017 survey.

2012-2015:

Results from the survey in 2015 show an overall **volume loss of 165,000m<sup>3</sup>**. The most significant losses were at cross-sections 27 and 28, and at cross-section 55. The only significant gain was at cross-section 53.

2008-2012:

The survey from 2012 showed an overall **volume gain of 185,000 m<sup>3</sup>** since 2008. The gains occurred mostly in the reach from Pekatahi Bridge up to cross-section 37, and also between cross-sections 41 and 44. Losses occurred at cross-section 40 and in the reach from cross-section 45 to 57.

2006-2008:

The Whakatāne River above Pekatahi Bridge was surveyed in May 2008. The results from this survey indicate an overall **volume gain of 119,400 m<sup>3</sup>** from cross section 25a to 57 for the full width. There are significant volume gains from cross sections 26 to 31, 41 and 42, as well as from cross sections 52 to 57. The losses for the entire reach are relatively low with minor losses from 35 to 39, and several larger volume losses at 49, 50, and 51. The most significant decrease in volume occurred at cross section 50, it is also noted that in 2004 the largest gain in the whole reach occurred at cross section 50, indicating instability of the river bed at this location.

2004-2006:

The survey from January 2006 shows a **small loss of 16,500m<sup>3</sup>** for the entire reach and full width. Gains occurred upstream of Pekatahi Bridge at cross-sections 26 to 28, in the reach between cross-sections 38 to 42 and at cross-sections 48, 49 and 51. These gains were outweighed, however, by losses in the reach from cross-section 29 to 33, at cross-sections 43, 45 and 46, and in the upper reach from cross-sections 52 to 57. As for the active channel, the development in this last period up to the most recent survey in 2006 shows the opposite trend to the development in the period before (2003 to 2004). Minimum bed levels have generally risen since 2004. Exceptions are at cross-sections 29, 33, 44, 54 and 56 where they have fallen.

2003-2004:

After the massive losses between the 2002 and 2003 surveys, the following survey in August 2004 showed a total **volume gain of 378,000m<sup>3</sup>** for the entire reach and the full width (channel and floodplain). Most of these gains occurred in the braided reach from cross-section 45 to 57, with a gain of 87,000m<sup>3</sup> at cross-section 50 alone. Further gains occurred at cross-sections 29 to 33. The major gains can be attributed to sediment deposits during the July 2004 floods. Volume losses occurred again just upstream of Pekatahi Bridge (cross-sections 27 and 28). Note that the volume analysis on the floodplain is based on the 2004 survey (post 2004 flood) and the survey from 1998 (post 1998 flood). The surveys in between those dates were limited to the main channel only since no major changes are expected during times without major flooding. Along section of the minimum bed levels (thalweg line) shows that bed levels have risen in the reach between cross-sections 28 to 30, and at cross-sections 44, 48, 50, 54, and 56 between 2003 and 2004. The bed level has dropped at cross-sections 27, 31, 34, 35, 38, 42, 45 to 47, 51, to 53, 55, and 57.

2002-2003:

The 2003 survey showed that since the 2002 survey there had been a major **volume loss of 260,000m<sup>3</sup>** over the full floodplain width of the river. The majority of these losses occurred in the braided reach above cross-section 44, where a total of 217,000 m<sup>3</sup> were lost. Volume losses were especially large in the reach between cross-sections 53 and 58. A profile of minimum bed levels shows that the river bed has dropped significantly at cross-sections 47 and 48 just below Ohutu Bridge, at cross-section 54, and at cross-section 56, whereas it has significantly risen only at cross-section 53. The volume losses in the upper parts of this reach may be a result of the 1998

floods, during which large amounts of material were transported from the catchment and deposited in the upper parts of the floodplain. This material now becomes available to be transported further downstream.

1998-2000-2002:

Within the full floodplain width and over the entire reach of the Upper Whakatane River, past NERMN reports have noted an overall **volume gain of 876,000m<sup>3</sup>** between the April and December 1998 surveys. This large amount of volume gain can be attributed to the July 1998 floods, which comprised of a 16 day period of flooding including five significant flood peaks. Surveys show a further **volume gain of 55,000m<sup>3</sup>** between the 1998 and 2000 survey, and a **gain of 92,000m<sup>3</sup>** for the period September 2000 to July 2002. The largest volume gains from 2000 to 2002 were at cross-sections 26, 27 (Pekatahi Bridge) and 55.

### **Active channel volume analysis:**

The active channel has been defined in previous NERMN reports for the reach from cross-section 25a to 44 only. This reach has not been resurveyed yet after the April 2018 floods.

A summary of the volume analysis for the active channel is given in Table 2.

2012-2015:

The 2015 survey showed a **small loss of 1,200m<sup>3</sup>** within the active channel, with the most significant gains at cross-sections 39 and 40 outweighed by similar sized losses at cross-sections 42 to 44. This is bucking the overall trend of long-term losses at cross-sections 39 to 41 and long-term gains at cross-sections 42 to 44.

2008-2012:

For the active channel, the survey undertaken in 2012 showed a significant **volume gain of 293,000m<sup>3</sup>**. The most significant gains were observed at cross-sections 30 and 31, and cross-sections 42 to 44. Only one cross-section experienced losses (40).

2006-2008:

The survey performed in May 2008 shows the active channel for the Upper Whakatāne River having an overall **volume gain of 93,300 m<sup>3</sup>** for the period January 2006 to May 2008. The active channel analysis includes cross sections 25a to 44 only. The most consistent gains occur from cross sections 26 to 31 with the largest single gain occurring at cross section 30, just below the confluence with the Waimana River. There are also notable increases at cross sections 41 and 42. A section of the river, from cross section 35 to 39, displayed an overall loss of 24,400 m<sup>3</sup>.

2004-2006:

For the active channel, the survey from January 2006 showed an overall **volume gain of 125,600m<sup>3</sup>** in the period August 2004 to January 2006 in the reach from cross-sections 25a to 44. The bulk of this gain occurred at cross-sections 26 to 28 (around Pekatahi Bridge) and 38 to 42. Losses occurred in the reach from cross-section 29 to 33 and 43 to 44. This is the opposite of the gravel movement observed in the previous period which covered the July 2004 floods, and it indicates a settling process after these floods.

2003-2004:

The analysis carried out on the August 2004 survey, which was taken immediately after the July 2004 floods, showed a **volume loss of 56,400m<sup>3</sup>** since June 2003 in the active channel. Significant losses occurred around the Pekatahi Bridge (cross-sections 27 and 28) and in the upper reach from cross-section 37 to 42, while volume gains occurred in the reach from cross-section 29 to 33. It can be assumed that most of this gravel movement occurred during the floods in July 2004.

1998-2000-2002-2003:

The 2003 survey showed that within the active channel in the reach from cross-section 25a to 44, there has been a volume gain of 19,000m<sup>3</sup> since 2002, compared to gains of 78,000 m<sup>3</sup> from 2000 to 2002, 40,267m<sup>3</sup> from 1998 to 2000, and 18,551m<sup>3</sup> from April to December 1998. In between 1998 and 2000, major gains were made at cross sections 30 and 33b, with around 22,000m<sup>3</sup> and 12,000m<sup>3</sup> deposited respectively. The survey in 2003 showed little volume changes compared to previous years. This is likely to be because of the short period since the previous survey which only had few floods of significant size. Also a stabilisation of gravel movement after the 1998 floods may have started to set in. Minimum bed levels at and near Pekatahi Bridge (cross-sections 26 and 27) have dropped, and so have minimum bed levels in the reach from cross-section 34 to 40.

### **Active Channel – Gary Williams – volume analysis:**

In about 2008, as part of his evidence to the resource consent applications to extract gravel from the Whakatane River (Resource Consents 50704 & 63476), Gary Williams defined the extents of the active channel for the entire reach from cross-section 25a to 57. These extents have been reviewed following the more recent surveys and changed where necessary (due to bank erosion and/or channel movement).

Volume analysis has now been carried out for these new offsets for the entire reach and all surveys since 1998. This analysis is summarised in Table 3 and Figure 2.

The analysis shows that overall volume changes within the active channel of the entire reach over the 20 years have been small (20,600m<sup>3</sup>). However, the lower part of the reach, from cross-section 25a to 46, has accumulated material at an average of about 40,000m<sup>3</sup> per year (820,000m<sup>3</sup>), while the upper part of the reach, cross-sections 47 to 57, has lost about 40,000m<sup>3</sup> per year (800,000m<sup>3</sup>).

### **Bed levels and channel movement:**

Two sets of levels can be used to assess the vertical movement of the river bed. The thalweg describes the minimum bed level, i.e. the lowest point in the channel at each cross-section. The mean bed level is the calculated average of the bed level elevation over the width of the cross-section (full width or active channel).

#### **Thalweg:**

For the integrity of the existing bank protection works, an ideal minimum bed level (thalweg) was estimated in 1996 to be between the 1996 minimum bed level at each cross-section and 0.5 m higher, i.e. some recovery was desired along most of the river. In places, the ideal bed level may be higher still, so as the recovery target is approached, a careful review of desirable levels will be required (based on balancing the risks of erosion, aggradation and flooding). It had been proposed in the last NERMN report that until adequate recovery is achieved, extraction should be suspended within the active channel over the reach from approximately 1 km upstream of the confluence of the Tauranga (Waimana) River to Ruatoki Bridge and also in the lower reaches of the Tauranga (Waimana) River.

A comparison of the minimum bed levels of the 2015 survey to the bed levels from 1996, shows that the river is generally recovering (aggrading) and the desired bed levels (1996 minimum bed level plus 0.5m) have been reached for most of the reach. The only exceptions are cross-sections 42, 43, 48, and 54 to 56, where the 2015 levels are below the 1996 levels. Possibly a combination of three major floods within this period transporting gravel from the catchments into the river system and a carefully directed gravel management within the system has achieved this desired partial recovery of bed levels in this reach.

The 2018 survey (cross-section 47-57) shows that only cross-sections 49, 50, 54 and 55 are below the ideal minimum bed level.



Figure 5 shows the thalweg at each cross-section over time since 1998 and the ideal minimum bed level.

#### Mean bed levels:

Mean bed levels have been compared using Gary William's defined extent of the active channel, but the extent (width) has been updated to account for channel changes since 2008. Gary had also set a guideline envelope of desirable mean levels as part of his evidence. This envelope has been retained and existing mean levels have been compared to this.

Table 4 shows the mean bed levels for the period 1998 to 2018, for the active channel as defined by Gary Williams and updated to the 2018 survey data. Green cells show where the measured mean level is above the maximum of the envelope. Red cells show where the measured mean bed level is below the minimum of the envelope. White cells indicate that the measured bed level is within the defined envelope.

The table shows that initially mean bed levels were generally below the desired in the lower reach (red, downstream of about cross-section 46), while mean bed levels in the upper reach were generally above the desired bed levels (green). Over time this trend has changed and since about 2012 the lower reach is at or above the desired mean bed level, and most cross-sections of the upper reach are below the desired bed levels.

#### Extraction:

Significant gravel extraction is carried out in the reach above Pekatahi, however, annual extraction rates have decreased in recent years. Extraction volumes over the years are listed in Table 5.

Average extraction on the whole Whakatane River since 1996 is around 19,000 m<sup>3</sup> per year, most of which has been extracted from above the Pekatahi Bridge. A portion of the extraction has been from outside the "design channel", to allow bed levels to aggrade in some places. Staff undertake regular visual inspections to monitor gravel extraction and in some areas extractions have been suspended.

The long-term extraction rate for this part of the river has decreased from an estimated 28,000 m<sup>3</sup> per year since 1993 to around 16,000 m<sup>3</sup> over the past ten years (2006-2016). This figure is now lower than the estimated supply rate of around 40,000 m<sup>3</sup> and is hoped to aid the recovery of degrading bed levels.

#### Recommendations:

Gravel allocation limits are set with the aim to encourage stable river channels and protect river scheme assets and the general public. The following factors need to be promoted:

- Maintaining bed levels within a desirable range
- Maintaining good river alignments
- Keeping roughly in balance with natural supply rates
- Compatibility with existing assets

When bed levels are too high or the waterway is congested, flooding of surrounding land is more likely.

When bed levels are too low, banks are high and have to take the full force of the flow during a flood. Banks can erode, protection works are undermined, more gravel is transported downstream to build up elsewhere, and bank protection works are more costly.

The recommendation in last the NERMN report was to suspend any extraction within the active channel over the reach from about 1km upstream of the Tauranga (Waimana) confluence (XS33) to Rūātoki Bridge (XS47) until adequate recovery of the river bed is achieved. From the assessment of the mean bed levels using Gary Williams active channel definition it can be seen that bed levels appear to have recovered over the reach with mean bed level now within or above the guideline envelope (except cross-section 40).

Extractions should now be limited to the locations where mean bed level exceed the guideline envelope, particular the lower reach around Pekatahi Bridge up to cross-section 35, and between cross-sections 50 and 52 in the upper reach. Following the significant flood of April 2017 it is likely that some beaches and floodway constrictions will develop where extraction is desirable, while some throughput to the rest of the river is still allowed. Some extra demand may be able to be met by widening the floodway where appropriate after careful assessment of the gravel movement.

It is recommended an annual extraction quantity of up to **30,000m<sup>3</sup>/year** be undertaken within the Upper Whakatāne Reach. Due to bed level degradation, extractions in the section of reach between Ohotū Bridge and Limeworks (XS47 to XS57) will only be available where works are for river management purposes only and will generally be in conjunction with other river management operations.

It is also recommended that a complete resurvey be undertaken for the whole reach in 1-2 years time to assess the effects of gravel supply coming in from the upper catchment following the 2017 floods.

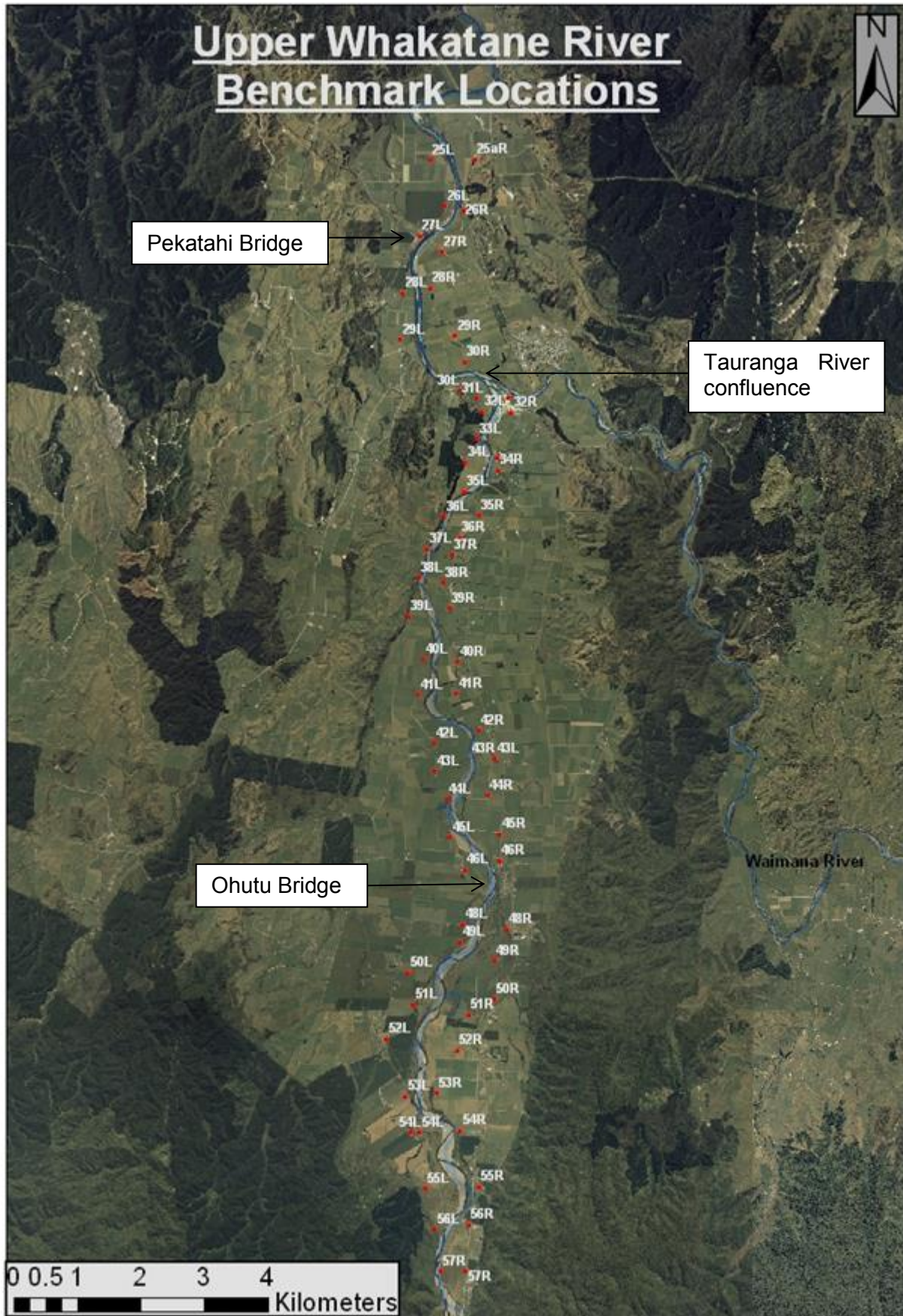


Figure 1: Upper Whakatane River cross-sections locations

Whakatane River Volume Changes above Pekatahi													
		Full width											
		Volume Change (m <sup>3</sup> )											
Section	Distance	Apr 98 to	Dec 98 to	Sep 00 to	July 02 to	Jun 03 to	Aug 04 to	Jan 06 to	May 08 to	Apr 12 to	Feb 15 to	Dec 17 to	Apr 98 to
number	(km)	Dec 98	Sep 00	Jul 02	Jun 03	Aug 04	Jan 06	May 08	Apr 12	Feb 15	Dec 17	Jan 18	43101
25a *	18.19	0	0	0	0	0	0	0	0	0	0	0	0
26 *	19.01	50302	30465	0	1434	17117	9051	13692	49016	-7625			163453
27	19.72	-5352	27330	3891	-17722	-22216	23509	12641	44478	-45318			21241
28	20.595	2320	6377	9734	-23857	-22628	21373	10168	35400	-63037			-24151
29	21.355	81604	3144	11012	352	17172	-9989	7461	37749	-2078			146427
30	22.515	123410	12290	18731	808	24478	-18085	23788	92982	3368			281770
31	23.285	54787	3299	-21506	-1359	23349	-6943	9758	83761	-3430			141715
32	23.515	15694	2706	-7546	-3200	8520	-2919	284	12475	-1258			24755
33b	24.05	43716	12388	4680	-6069	15607	-10471	2174	4333	1029			67386
34	24.53	29441	3831	3795	504	2785	-491	3424	22616	2815			68720
35	25.12	1727	1550	4444	3149	2075	2507	-5862	19536	3152			32279
36	25.601	5226	1264	8514	2381	6818	-2090	-6850	14459	-4501			25222
37	26.185	24949	-12620	9214	2796	6984	226	-2976	7619	-2465			33728
38	26.61	10345	-5869	-1804	2587	-6708	16944	-6976	-1661	3321			10181
39	27.235	-23361	-4186	-2957	-2005	-11352	29604	-2014	693	8108			-7470
40	28.025	-2413	-9790	1922	-5641	1608	13093	7104	-31630	14957			-10790
41	28.58	-31155	120	340	-2935	-7007	9185	11769	4129	3234			-12321
42	29.55	-79648	-2161	4381	-623	8876	15710	20404	50567	-9538			7967
43	30.06	213	-4134	7629	2156	6537	-3994	3828	36428	-8864			39799
44	30.785	17504	-6463	21210	4814	-5379	653	-1367	57036	-8732			79274
45	31.63	52513	2328	20085	2130	46753	-6320	-3627	-28487	-7525			77850
46	32.17	16006	1194	13692	-8925	31341	-9600	4725	-35592	-3222			9620
47	32.66	-6788	-7552	10599	-13218	-9710	7851	6066	-28251	7780	1828		-31395
48	33.405	19864	-29950	6934	-15238	5982	10290	-1264	5031	182	-47685		-45855
49	33.715	18336	-8650	27	-3090	19427	-2658	-8228	874	-11430	-15213		-10604
50	34.44	-16704	-35299	710	-3496	86912	380	-42150	3071	-11188	6892		-10872
51	34.955	18380	-14869	-6967	-2697	30063	10111	-16088	10076	-7060	16568	4852	42370
52	35.695	68815	7894	-21082	-14739	-6662	-16096	17569	-27287	-10217	26617	6972	31783
53	36.635	27872	124	-7015	-40614	20974	-29157	15504	-72980	33279	-25335		-77349
54	37.275	11806	17536	-265	-38963	-13253	-4871	16953	-62270	-1542	-9443	6248	-78064
55	38.675	111556	33612	-8638	-56691	21028	-855	24886	-60046	-49745	-60168	13667	-31393
56	39.475	92435	11156	-511	-14011	61122	-30795	1008	-1262	1221	-72078		48284
57	40.26	66983	11116	5656	-7608	17550	-31597	3578	-58023	11076	-48056		-29324
58	41.66	75503	6556	3273	0	0	0	0	0	0	0		85332
<b>Total</b>		<b>875886</b>	<b>54737</b>	<b>92182</b>	<b>-259589</b>	<b>378162</b>	<b>-16444</b>	<b>119379</b>	<b>184840</b>	<b>-165252</b>	<b>-226073</b>	<b>31738</b>	<b>1069567</b>

Table 1: Upper Whakatāne Full Width Volume Changes 1998-2018

### Whakatane River (above Pekatahi) Volume Changes - Full Width

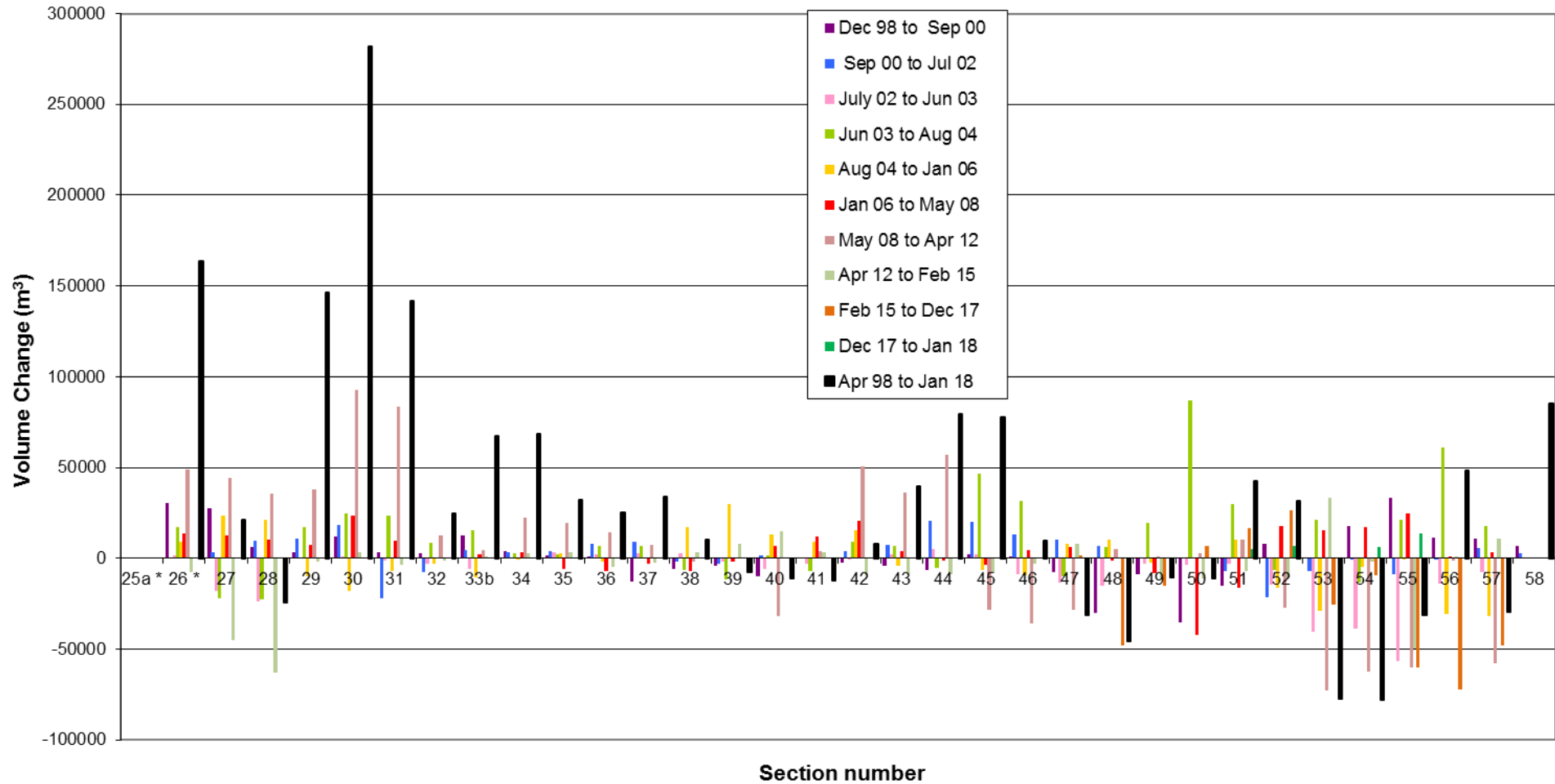


Figure 2: Upper Whakatāne Full Width Volume Changes 1998-2018

<b>Whakatane River Volume Changes above Pekatahi</b>											
		<b>Active Channel</b>									
		<b>Volume Change (m<sup>3</sup>)</b>									
Section	Distance	Apr 98 to	Dec 98 to	Sep 00 to	July 02 to	June 03 to	Aug 04 to	Jan 06 to	May 08 to	Apr 12 to	Apr 98 to
number	(km)	Dec 98	Sep 00	Jul 02	Jun 03	Aug 04	Jan 06	May 08	Apr 12	Feb 15	Feb 15
25a *	18.19	0	0	0	0	0	0	0	0	0	0
26 *	19.01	12691	2637	0	6694	2654	9159	8551	12052	3186	57624
27	19.72	-2676	4579	3514	2455	-22417	32880	11266	16848	2559	49008
28	20.595	-4188	6210	9185	1243	-25489	33712	10454	19056	-3274	46909
29	21.355	7873	4502	7822	1058	4140	-2510	8303	14914	-1460	44642
30	22.515	23820	21783	12215	1519	4602	-7174	24330	32782	3195	117073
31	23.285	35865	8313	3816	-1434	19977	-4334	9297	43195	-3497	111197
32	23.515	10160	2712	388	-3199	8913	-2854	265	11790	-1474	26700
33b	24.05	21611	12249	3527	-3549	13841	-10937	2289	16659	524	56213
34	24.53	12619	3727	2712	2762	1242	-909	3606	14099	2811	42668
35	25.12	-1772	763	4644	2564	-2784	5522	-5970	13855	2684	19506
36	25.601	-833	622	8685	1904	1675	1295	-7022	14138	-4877	15586
37	26.185	15150	-12620	9218	2796	-1356	1352	-2976	10196	-2469	19291
38	26.61	9373	-6765	-36	1762	-14368	16971	-6745	2976	3378	6545
39	27.235	-38086	-3417	153	-2822	-20418	27485	-1693	3509	8201	-27088
40	28.025	-43311	-7153	2554	-5144	-4550	9226	6960	-31945	14957	-58407
41	28.58	-34956	-1495	-121	-248	-11645	11929	8777	3935	3234	-20590
42	29.55	-41402	-3139	2254	4075	-12337	21907	15333	51810	-9532	28970
43	30.06	18587	2150	2599	2013	3704	-6405	3896	22460	-8803	40202
44	30.785	18026	4609	5148	4582	-1814	-10688	4354	20785	-10580	34421
	<b>Total</b>	<b>18551</b>	<b>40267</b>	<b>78277</b>	<b>19029.6</b>	<b>-56429.5</b>	<b>125625.6</b>	<b>93273</b>	<b>293115</b>	<b>-1238</b>	<b>610470</b>

Table 2: Upper Whakatāne Active Channel Volume Changes 1998-2015

### Whakatane River (above Pekatahi) Volume changes - Active channel

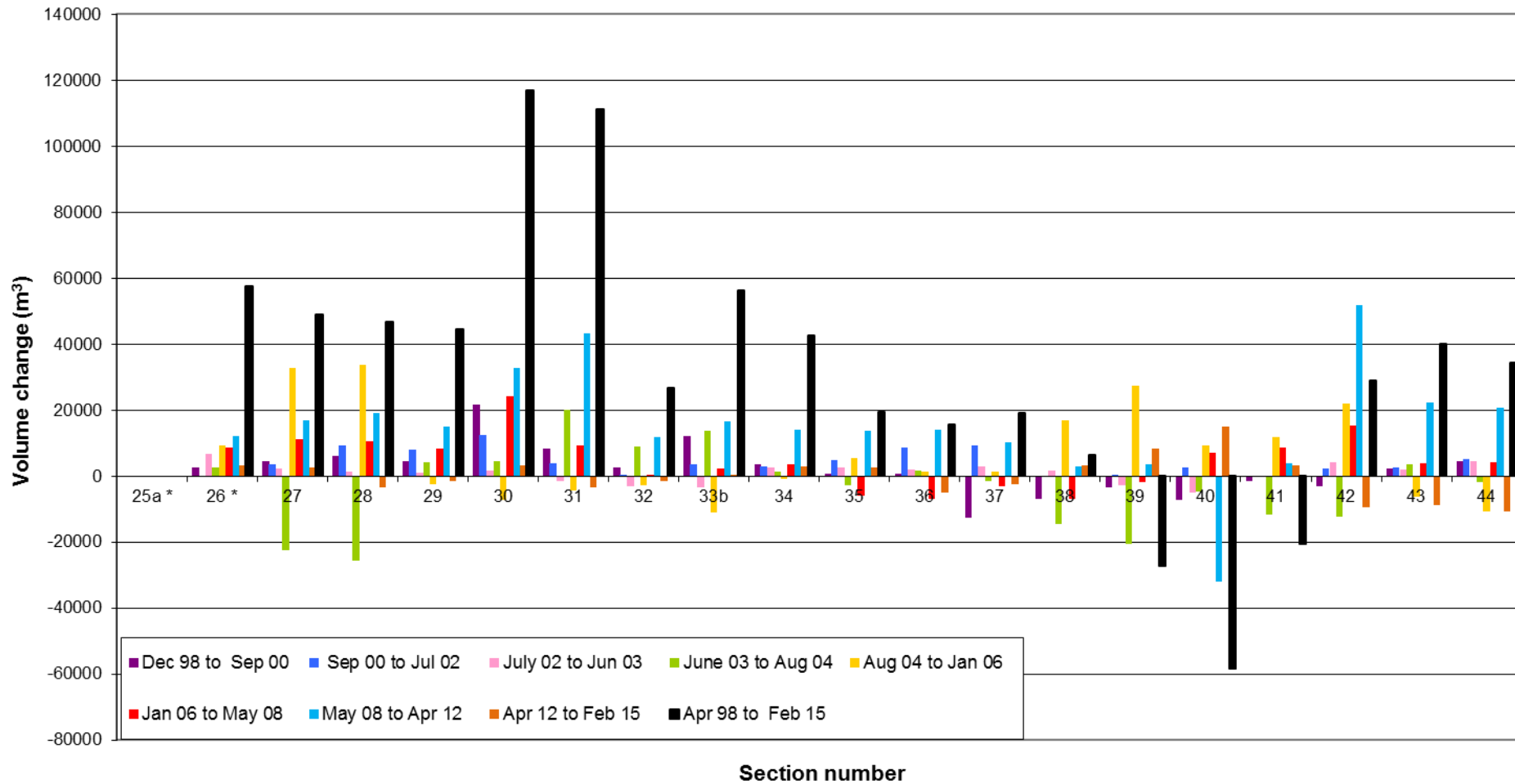


Figure 3: Upper Whakatāne Active Channel Volume Changes 1998-2018

Active channel as defined by Gary Williams in his evidence 2008, with offsets updated in 2018.													
Active Channel													
Section number	Distance (km)	Volume Change (m <sup>3</sup> )											
		Apr 98 to Dec 98	Dec 98 to Sep 00	Sep 00 to Jul 02	July 02 to Jun 03	June 03 to Aug 04	Aug 04 to Jan 06	Jan 06 to May 08	May 08 to Apr 12	Apr 12 to Feb 15	Feb 15 to Dec 17	Dec 17 to Jan 18	Apr 98 to Jan 18
25a *	18.19	0	0	0	0	0	0	0	0	0	0	0	0
26 *	19.01	9199	3827	0	6626	2887	8140	8943	9500	2451			51571
27	19.72	-5274	4268	2847	3197	-23792	33807	9631	13201	4825			42709
28	20.595	-5804	6347	8444	1558	-26436	35606	8021	18325	-1434			44628
29	21.355	15738	3126	11734	-466	10834	-1617	6811	22252	-2224			66188
30	22.515	33262	12267	18227	-1555	22441	-10223	21828	55448	3399			155094
31	23.285	32570	3301	3900	-2225	24585	-7103	8922	51079	-3427			111601
32	23.515	9435	2722	914	-3644	8760	-2837	297	12361	-1149			26859
33b	24.05	21020	12283	4814	-4622	13895	-11051	2531	17887	1254			58010
34	24.53	12564	3703	2760	2778	1227	-961	3658	14027	2788			42544
35	25.12	-1773	763	4644	2554	117405	2280	-6067	13814	2690			136310
36	25.601	-839	622	8683	1875	99662	-1543	-7000	14113	-4856			110718
37	26.185	15143	-12620	9216	2758	-1352	1116	-2854	10207	-2449			19165
38	26.61	9551	-6748	441	1351	-14402	16914	-6753	3177	3358			6887
39	27.235	-36768	-4868	330	-3213	-20717	27400	-1558	3782	8213			-27400
40	28.025	-42087	-8517	1471	-4725	-5059	8780	7184	-31983	15064			-59871
41	28.58	-31267	-1026	139	-2759	-11582	9791	8935	5060	3272			-19438
42	29.55	-35979	-2607	2874	-568	-12959	18428	15853	53512	-9500			29053
43	30.06	17299	-36	2628	2703	2096	-6376	3981	21208	-8612			34890
44	30.785	16592	1365	5241	5621	-3571	-10613	4134	18774	-10452			27091
45	31.63	23774	6223	8490	2892	21148	-15683	2666	-47388	-9153			-7031
46	32.17	-4363	922	13821	-8365	10301	-9397	4601	-34599	-2579			-29658
47	32.66	-13438	-38446	41414	-13414	-15589	8073	5977	-27114	7926	1821		-42789
48	33.405	-620	-76039	52003	-13975	-9454	9531	-490	-31688	463	-43716		-113985
49	33.715	5820	-8614	-20	-1881	3742	-2730	-7342	-19944	-12920	-18786		-62675
50	34.44	232	-35066	2572	-919	1671	1799	-40570	-10561	-15347	3811		-92378
51	34.955	11961	-23645	-1745	-2659	-16327	10096	-19162	13768	-8395	7419	4824	-23865
52	35.695	36821	-5535	-13892	-15833	-10546	-16776	12793	-21136	-11721	4174	6932	-34720
53	36.635	1086	3289	-8350	-38176	21362	-28030	15475	-78975	28634	-28446		-112131
54	37.275	2342	19653	-362	-32573	-8480	-3902	16953	-76157	-4704	-17503	5996	-98737
55	38.675	85204	32712	-4766	-50875	-23190	776	24614	-57241	-49114	-76438	13117	-105201
56	39.475	46789	9403	1099	-17102	23008	-30568	-1238	11407	1754	-78902		-34348
57	40.26	34406	10039	6150	-8249	-4371	-31942	1524	-39744	10194	-56426		-78419
58	41.66	0	0	0	0	0	0	0	0	0	0		0
<b>Total</b>		<b>262597</b>	<b>-86934</b>	<b>185720</b>	<b>-193884</b>	<b>177196</b>	<b>1184</b>	<b>102297</b>	<b>-93629</b>	<b>-61753</b>	<b>-302992</b>	<b>30870</b>	<b>20673</b>
		51993	25316	111617	1771	215369	84859	93761	243756	-8523	0	0	819920
		210604	-112250	74103	-195655	-38173	-83675	8536	-337384	-53230	-302992	30870	-799247

Table 3: Upper Whakatāne Active Channel (Gary Williams) Volume Changes 1998-2018



**Whakatane River (above Pekatahi) Volume changes - Active channel (Garry Williams offsets 2018)**

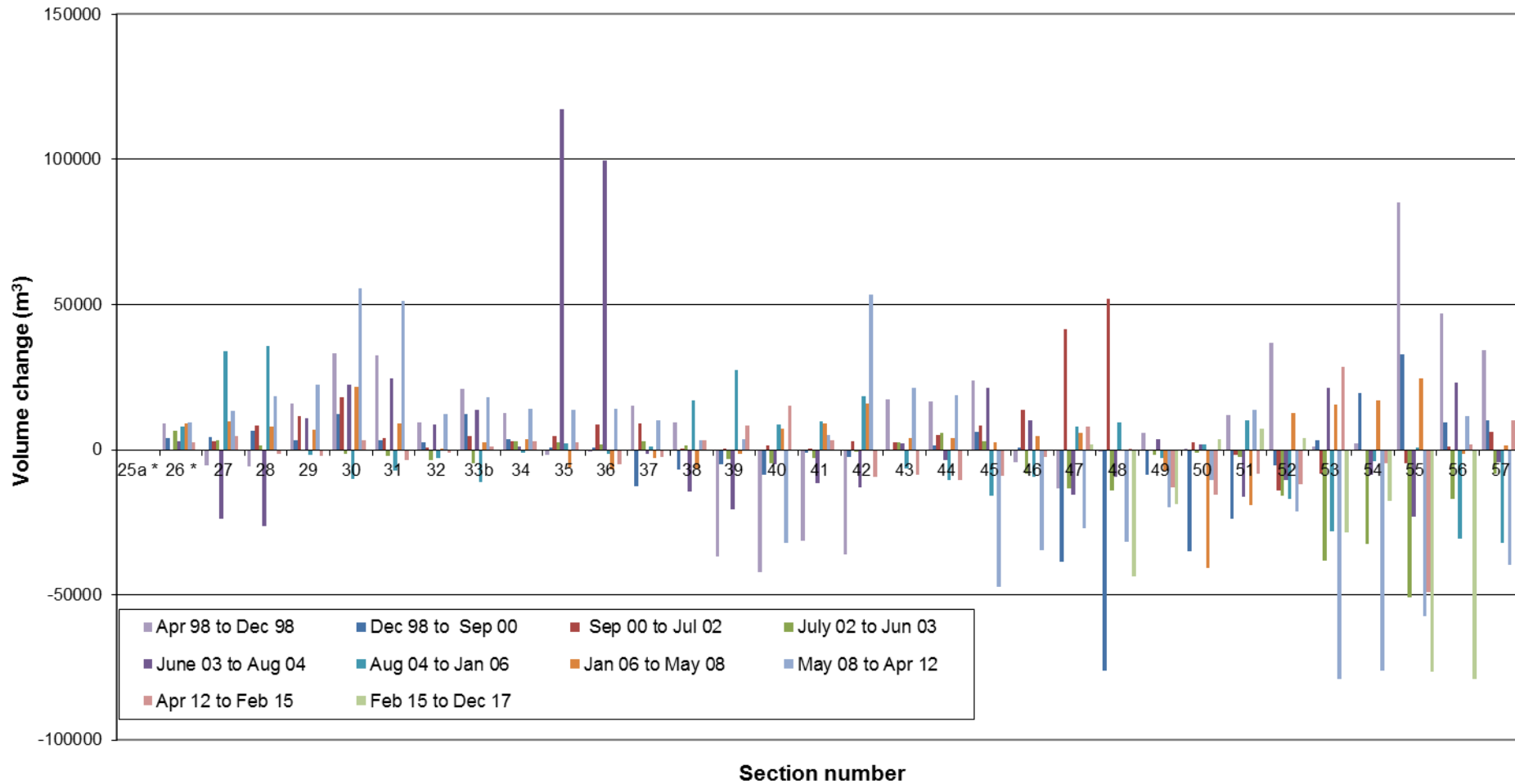


Figure 4: Upper Whakatāne Active Channel Volume Changes 1998-2018

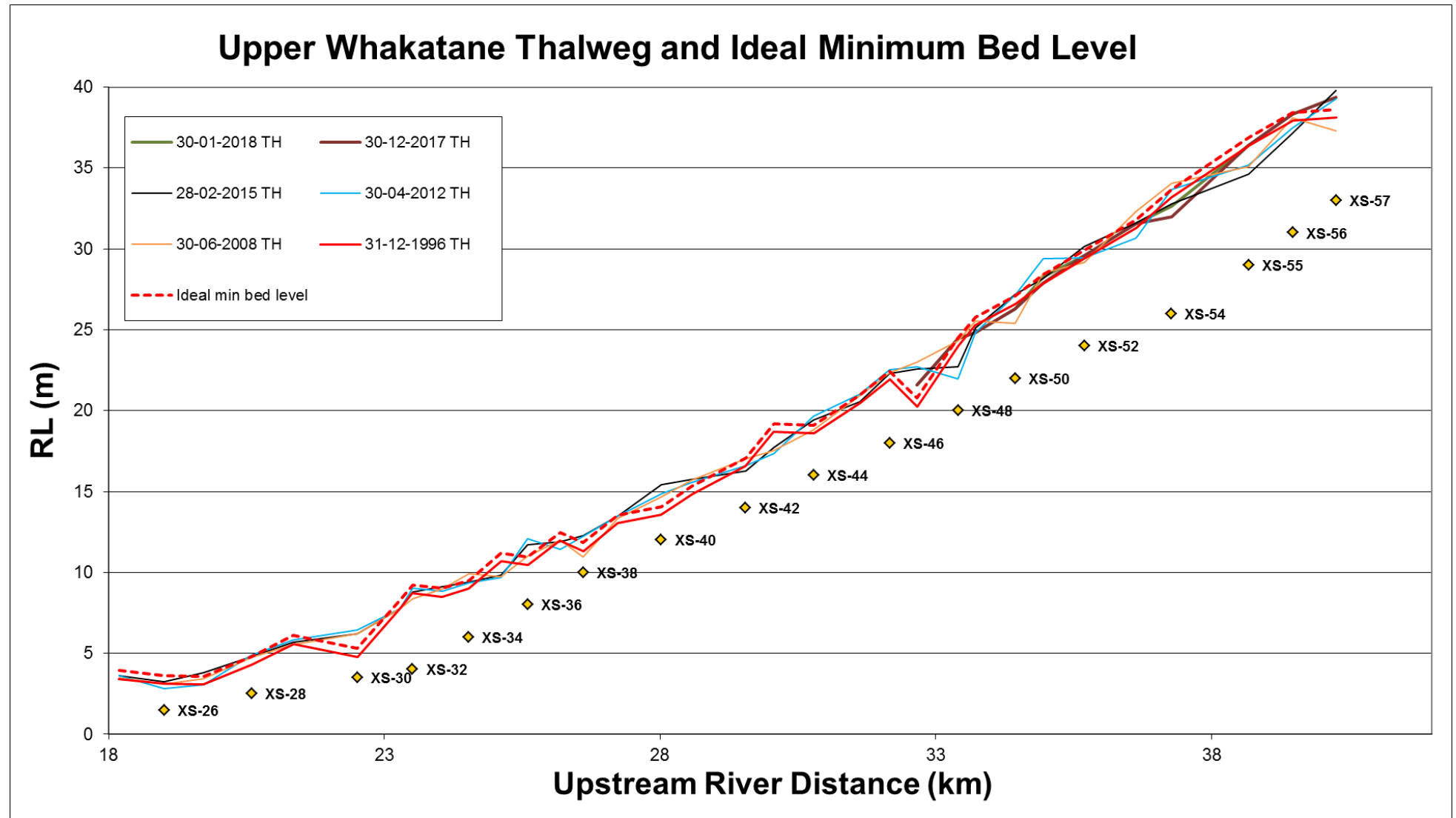


Figure 5: Upper Whakatane Thalweg and Ideal minimum bed levels



<b>Period</b>	<b>Extraction Volume (m<sup>3</sup>)</b>
1997-98	59,400
1998/99	39,700
1999/00	20,400
2000/01	24,600
2001/02	16,900
2002/03	22,000
2003/04	0
2004/05	4,600
2005/06	5,530
2006/07	10,400
2007/08	0
2008/09	32,400
2009/10	16,014
2010/11	6,968
2011/12	11,165
2012/13	13,927
2013/14	16,900
2014/15	16,488
2015/16	1,009
2016/17	12,087

*Table 5: Extraction volumes Upper Whakatane River (above Pekatahi Bridge).*



Receives Only – No Decisions

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Fiona McTavish, General Manager, Strategy & Science

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## Freshwater Futures Update

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### Executive Summary

This report provides an update on the key work being undertaken by the Freshwater Futures programme, including (i) the work underway to support the implementation of the National Policy Statement for Freshwater Management (NPSFM) and (ii) relevant national updates.

As part of our statutory programme, key activities of focus since the last RDD meeting include :-

- PC9 (Region-wide Water Quantity plan change) hearings were held on 14-16 March. A verbal update will be provided to the meeting.

**Swimmability Targets:** A report was tabled at the full council meeting on the 29<sup>th</sup> March 2018 to seek approval of Draft BOP regional targets.

**Feedback from MFE:** Minister Parker has written to LAWF seeking advice on how to avoid further degradation and on allocation of nutrient and sediment loads, with advice from LAWF being requested by May 2018.

Central Government are trying to push away from ruminant agriculture and want to encourage land use change that delivers better economic and environmental outcomes.

A concerted effort is being made to try and line up the economic / environmental and climate change objectives at a central government level.

**OAG - Water Use Report:** An audit was carried out by OAG in 2017 to assess the effectiveness of the Water Metering Regulations 2010. Initial findings have shown that water metering is in place for 99% of the large takes, however there are opportunities to improve the quality of the data and expand the roll out of water meters across NZ. A full report will be released in April 2018.

### Recommendations

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Freshwater Futures Update;

# 1 Overview

The purpose of this report is to provide an update to councillors on the various projects in place to improve our management of Freshwater across the BOP region, this includes capturing advice from each committee, group or panel meeting involved in implementing the National Policy Statement for Freshwater Management (NPSFM).

The report also provides a national update on freshwater matters.

## 1.1 Background - How it all fits together

Past Freshwater Futures presentations have included a diagram of how these committees, panels and groups work together (Figure 1). **Council is the decision maker with recommendations** from Co-Governance Committees who have had input from both Community Groups and Tangata Whenua. Council also receives water information/advice both at a national and regional level.

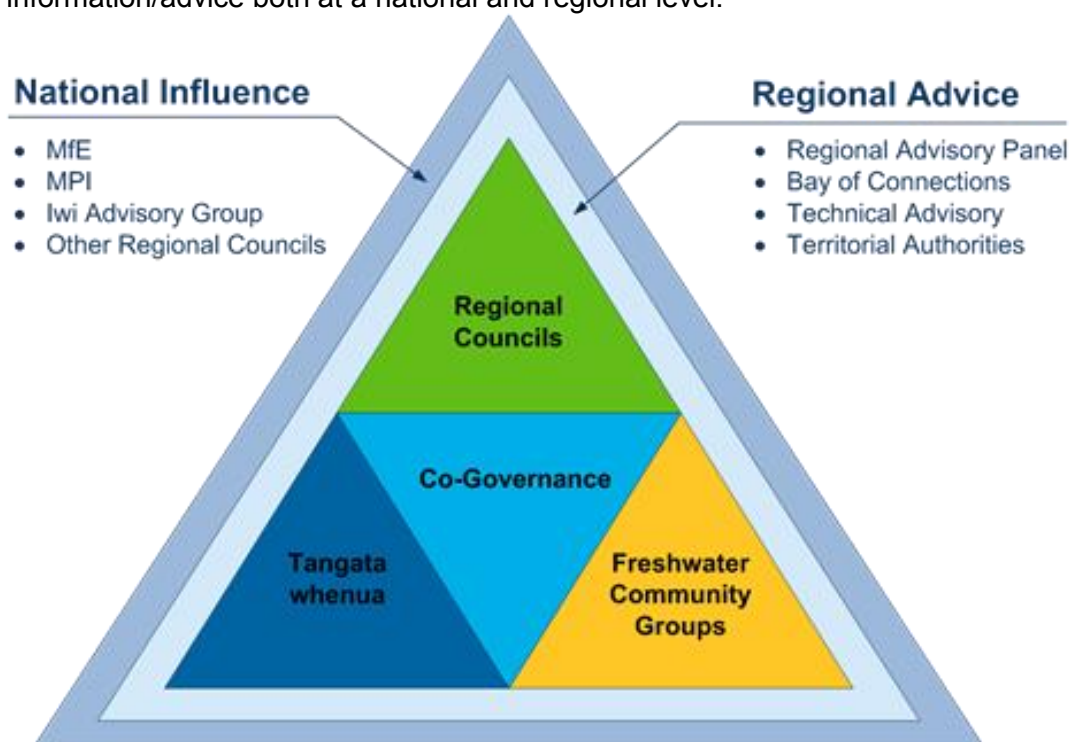


Figure 1: Bay of Plenty Regional Council Water Relationships

## 2 RMA Statutory Changes

Council is actively working on five freshwater plan changes to the operative Regional Natural Resources Plan:

- Proposed Plan Change 9 – Region-wide Water Quantity plan change;
- Proposed Plan Change 10 – Lake Rotorua Nutrient Management;
- Proposed Plan Change 12 – Rangitāiki and Kaituna-Pongakawa-Waitahanui Water Management Areas;
- Proposed Plan Change 15 – Rotorua Water Management Area; and

- Proposed Plan Change 16 – Tauranga Water Management Area.

We are also working on a change to the operative Regional Policy Statement: Proposed Change 3 (Rangitāiki River).

## 2.1 Region-wide Water Quantity (Proposed Plan Change 9)

In preparation for hearings staff analysed all submissions and further submissions and made recommendations to the hearing commissioners. Hearings were held on 14 – 16 March.

Recommended changes from the notified plan change include:

- Unauthorised dairy – 4 options were identified for the hearing panel to determine the way forward
  - Controlled activity status, with additional matters for control
  - Controlled activity status limited to 50m<sup>3</sup>/property/day, no special rule for others (similar to draft version)
  - Controlled activity status in resources that are not fully allocated up to 50m<sup>3</sup>/day, RDA in others
  - No special rule
- The term “interim limits” in Policy WQ P5 is recommended to be called “interim thresholds”, recognising that we need to differentiate pre NPSFM limits from post NPSFM
- Generally decline principle for new allocation where the interim threshold is exceeded of policy WQ P10 is retained
- Existing allocation is now included within the interim threshold. This provides greater certainty for holders of existing allocation and, where necessary ensures that future clawback is orderly rather than drawing the short straw by having your consent expire between this plan change and subsequent WMA plan changes). There is a sinking lid.
- Water metering requirements have been simplified, single meter for dairy farmers, daily recording for everyone, but ability to use a data logger and report monthly rather than daily in most situations
- Transfer provisions have been revised, all transfer other than between consented users in a water user group is discretionary AND the policy WQ P23 is revised so that only water that the holder can show has been used for the purpose for which it is allocated can be transferred
- Policy WQ P2 has been strengthened, providing more specific direction especially regarding tangata whenua
- New permitted activity for pump/aquifer testing.

## 2.2 Lake Rotorua Nutrient Management (Proposed Plan Change 10)

Mediation has been completed for Proposed Plan Change 10 with this identifying the key issues of each appellant and potential way forward. Staff are now awaiting further instruction from the Environment Court as to when a pre-hearing conference will be scheduled.

## 2.3 Plan Change 12: Kaituna/Pongakawa-Waitahanui and Rangitāiki Water Management Area

The purpose of this work is to deliver freshwater objectives based on freshwater values in the Water Management Areas, and also to set appropriate water quality and quantity limits and methods to support those objectives by way of a plan change to the Regional Natural Resources Plan.

Our science team is reviewing surface water catchment modelling outputs for phosphorous, *E. coli*, nitrogen and sediment received from modellers, and will then present the data in a useful and informative form for engagement. In particular, the modelling information will estimate water quality and contaminant source areas/land uses now, compared to an estimated future land use change scenario, and compared to estimated “natural” water quality and contaminant generation. Further work is underway to estimate the scale of reduction in these contaminants that might be necessary. In particular, scientists are working on estimating maximum freshwater contaminant loads required to support outcomes of Waihi and Maketū estuaries is due to be delivered in May.

A freshwater workshop will be held with Councillors on 17 May 2018, in which we will present this information, outline our next steps for water quality objective and limit setting, and also our approach to surface water and groundwater quantity limit setting.

A separate agenda report addresses options and recommendations to include region wide provisions with the first water management area plan change (PC12) to provide a consistent framework work for future WMA processes.

## 2.4 **Plan Change 15/16: Rotorua and Tauranga Water Management Areas**

Project planning for the Rotorua and Tauranga Water Management Area (WMA) is underway. Actions required to complete the stocktake and gap analysis have been identified.

It has been noted that there is extensive information available for the Rotorua WMA, so the initial focus has been identifying key issues and values of the community, this will help focus the science and economic aspects of the stocktake.

For the Tauranga WMA, the current focus is on agreeing an approach to working together with Tauranga Moana iwi, Tauranga City Council and Western Bay of Plenty District Council. It is expected that the Tauranga Moana Advisory Group (TMAG) would effectively act as the co-governance forum (akin to the role of the Rangitāiki River Forum and Te Maru o Kaituna in Plan Change 12), anticipating that role would be confirmed once Tauranga Harbour Treaty Settlements are completed. We anticipate taking a few possible options for approaches to working together at a technical/operational level to the next TMAG.

## 2.5 **Proposed Change 3 (Rangitāiki River) to the Regional Policy Statement**

Two appeals from Federated Farmers and Trustpower Ltd have been received on Proposed Change 3 (Rangitāiki River) to the RPS. Section 274 notices of interest have been lodged by Te Rūnanga o Ngāti Awa, Ngāti Whare, Ngāti Manawa, Rangitāiki-Tarawera Rivers Scheme Liaison Group and Rivers and Drainage Section and the Rangitāiki River Forum. Environment Court facilitated mediation occurred on Friday 23 February and a second mediation date is expected to be set shortly.

## 3 **Co-Governance Forum Updates**

In addition to the statutory changes noted above we also have co-governance work underway with Te Maru o Kaituna River Authority and the Rangitāiki River Forum.

Both forums have continued to receive regular updates on the Freshwater Futures programme undertaken by Council.



It is expected that both forums will continue to be conduits to promoting the work on fresh water undertaken by Council.

### 3.1 **Te Maru o Kaituna River Authority– Kaituna River Document**

*Kaituna, he taonga tuku iho* is the Proposed Kaituna River Document. The Hearing Panel is working on its decisions. Release of decisions on submissions and the final version of the Document is anticipated towards the middle of 2018.

### 3.2 **Rangitāiki River Forum**

The Rangitāiki River Forum has joined proceedings as a section 274 of RMA interested party to appeals against the Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement. Please see section 2.5 of this report for the update.

## 4 **Additional projects supporting the management of our Freshwater Resources**

In addition, and in support of, our Freshwater Futures programme, we have multiple projects underway within BOPRC to improve our management of freshwater, this includes investment in modelling and accounting, additional science monitoring and increasing our communication to the public. An update is provided below on our progress.

### 4.1 **Regional Growth Study - Water Opportunities / Barriers (Strategic Water Study)**

As part of the Regional Growth Study a project was identified to progress a strategic water study to identify opportunities and barriers to economic growth. Sub Regional hui are being set up for Tauranga, east coast and Waioeka WMA's. These are planned for late May 2018.

### 4.2 **Modelling and Accounting**

A significant milestone has been achieved with Model calibrations complete and outputs have been received for the Reference State scenario. Development scenario outputs are expected by the end of March at which time staff will commence the complex task of analysis and preparation of results for the Council workshop in May 2018.

In regard to accounting a concept design is being prepared in March / April 2018, this will enable us to ensure we have a coherent approach to delivery of a freshwater accounting system. In addition MFE are hosting a Freshwater accounting meeting on 27<sup>th</sup> March, which BOPRC staff will attend to leverage learnings from other Regional Councils.

### 4.3 **Communications**

Proactive and reactive communications work has continued through February and March across water topics including Rotorua Lakes nutrient management rules, lake algae levels/health warnings, Kopeopeo Canal clean up, storm events/flood

management, Water Quantity Plan Change (PC9) hearings, the Cawthron national trends report, and swimmability.

World Water Day (22 March) promotions focused on Cawthron report findings, swimmability, and highlighting sign-up options for updates on our water work. Our water booklet has been updated to incorporate more matauranga Māori references; print copies are being distributed at relevant community events and locations and additional copies are available for Councillors on request. Regional Council also sponsored the riparian management workshop at the Dairy Women's Network conference on 22 March.

March editions of the Freshwater Flash e-newsletter and Irrigation NZ magazine insert have been published, and installation of new boat ramp signage which incorporates messaging about LAWA and Council's water work is now complete. The Happy Harbour Fun Day which promoted Council's Tauranga Harbour catchment management messages was well attended by approximately 3000 people on 3 March.

Water-related communications in the coming months is expected to focus on Rotorua Lakes OSET, bottling consent and PC3 appeal needs, PC9 hearing outcomes, , Ford Road pump station consult, Kaituna re-diversion project decisions, Kaituna River Document completion, and materials preparation for wider public engagement on WMA water quality and quantity plan changes (Plan Change 12) later in 2018.

## **5 Advice**

We continue to seek advice on our Freshwater Futures programme, through our Regional Water Advisory Panel and our Territorial Local Authority Freshwater Collaboration Groups. A summary of recent meetings are captured below.

### **5.1 Regional Water Advisory Panel (RWAP)**

No meeting was held since the last RDD report, as these meetings occur on a quarterly basis, the next meeting is planned for later March / early April 2018.

### **5.2 Territorial Local Authority Freshwater Collaboration Group**

A meeting of this group was held on the 14<sup>th</sup> February 2018, there was really good discussion around Urban Good Management Practice and Climate change. It was agreed that we incorporate the joint risk registers prepared as a result of Havelock North Stage 1 into our BAU processes. An action was taken to set up a meeting with relevant BOPRC / TLA staff to discuss what monitoring is undertaken currently to identify any synergies. The TLA's were keen to re-instigate a 'sewer overflow group', which looks at best practice.

See attached a copy of the minutes of this meeting.

## **6 Local Problems – Local Solutions**

### **6.1 Kaiate Falls**

A separate paper is being tabled at the RDD meeting in regard to Water Quality at Kaiate Falls, regular updates to councillors on progress will be captured in this report.

## **7 National Updates**

At a national level there are key activities underway that may impact our work programme within the Bay of Plenty.

### **7.1 Feedback from MFE**

Minister Parker has written to LAWF seeking advice on how to avoid further degradation and on allocation of nutrient and sediment loads, with advice from LAWF being requested by May 2018.

MFE have also requested feedback on these questions directly from the regional sector, as they are keen to understand what levers can be implemented practically by regional councils.

Central Government are trying to push away from ruminant agriculture and want to encourage land use change that delivers better economic and environmental outcomes.

A concerted effort is being made to try and line up the economic / environmental and climate change objectives at a central government level.

### **7.2 Industry Meeting**

An Industry meeting with Fonterra, Dairy NZ and Beef and Lamb representatives occurred on 1 November 2017. The purpose of the meeting was to increase understanding of the group's environmental programmes and potential synergies. BOPRC have been spatially mapping out natural resource issues; existing work programmes and current collaboration projects. A follow on meeting with industry is planned as part of the RWAP meeting in late March / early April 2018.

### **7.3 Swimmability**

A report was tabled at the full council meeting on the 29th March 2018 to seek approval of Draft BOP regional targets.

#### 7.4 **LGNZ Water 2050**

Work is progressing by LGNZ in relation to Water 2050, see attached a two page update provided by LGNZ for this project.

Chief Executives received an infrastructure survey to complete mainly around the 3 waters (storm / waste / potable), as well as flood management infrastructure. This was completed and returned to LGNZ on the 16<sup>th</sup> March.

#### 7.5 **Office Auditor General (OAG) – Water Use Report**

In 2010, an NES requiring large abstractors of water to meter their water takes was released. An audit was carried out in 2017 to identify how well water meter installation was carried out; the quality of the data collected; how the data was used and whether this is leading to positive change in managing freshwater. Six Regional Councils (RC's) were interviewed, the following results were noted:-

- Water meters have been installed for 99% of the largest water takes
- More work is needed to increase the installation of meters for low water users
- Opportunities to improve the quality of data received (Telemetered versus manual)
- Opportunities to support consent holders to change their water use behaviours

A full report, along with recommendations is expected in April 2018.

### **8 Implications for Māori**

In preparation for Region-wide Water Quantity Proposed Plan Change 9 (PC9) hearings, there have been a number of meetings held, including with Māori. The additional time spent on this work has improved understanding by Māori of Council's intent with PC9 and has helped Council better understand Māori perspectives. A likely implication for Māori is they will be able to present more effective submissions.

For the Water Management Areas of Rangitāiki, Kaituna/Pongakawa/Waitahanui (PC12) opportunities for Māori involvement in engagement on freshwater discussions will continue to be provided.

Council continues to engage with iwi and hapū to understand and consider their values and interests in water during WMA planning processes.

The new Tauranga and Rotorua WMA processes will affect Māori, and they are being involved in the early planning of these projects. It is recognised that Māori involvement in planning and delivery of improved water management is integral to their role as kaitiaki and necessary to achieve requirements of the NPSFM.

#### 8.1 **Co-Governance Groups**

The Rangitāiki and Kaituna Rivers and their catchments have significant meaning to many iwi. Two co-governance forums have been established under treaty legislation. River documents have either been developed or are in development. Proposed

Change 3 to the Regional Policy Statement serves to recognise and provide for the Te Ara Whānui o Rangitāiki – Pathways of the Rangitāiki river document. This change is in progress and when operative will further enable the aspirations of the forum to be implemented over time.

## **9 Council's Accountability Framework**

### **9.1 Community Outcomes**

Council's Freshwater Futures work directly contributes to the 'Water Quality and Water Quantity' Community Outcome in Council's Long Term Plan 2015-2025.

### **9.2 Long Term Plan Alignment**

This work is planned under various activities within the Long Term Plan 2015-2025, including Land and Water Framework, Regional Planning, Kotahitanga/Strategic Engagement, Data Services, Science and communications.

### **9.3 Current Budget Implications**

This work is being undertaken within the current budget for the activities in the Annual Plan 2017/18 of the Long Term Plan 2015-2025.

### **9.4 Future Budget Implications**

Future work is provided for in Council's Long Term Plan 2018-2028.

Any changes in national direction would need to be considered for budget implications.

Ian Morton  
**Strategy & Science Manager**

**for General Manager, Strategy & Science**

**26 March 2018**



# APPENDIX 1

## Regional Sector papers - February 2018\_LGNZ Project Updates Water 2050 Climate Change





## LGNZ project update

### 1. Purpose

The purpose of this paper is to provide the Regional Sector with updates on the two projects of greatest interest to the Regional Sector – Water 2050 and Climate Change.

### 2. Water 2050

An update on the Water 2050 project and its workstreams is detailed below.

Workstream and deliverables	Status
<p><b>Allocation</b></p> <p><b>Options paper:</b> on different allocation methodologies used in New Zealand and internationally (including the role, if any, of water storage) and the pros and cons of each methodology (from a technical, legal and governance perspective)</p> <p><b>Final position paper</b></p>	<p>Work underway by Sapere on options paper (deliverable Jan 2018) and position paper (deliverable Aug 2018)</p>
<p><b>Quality</b></p> <p><b>Stocktake and issues paper:</b> covering the current model for setting health and environmental water quality standards, implications for land use and infrastructure and any cost/benefit analysis undertaken; the current framework to deliver on these, including measuring the cost implications for three waters infrastructure (and land use) and gaps and issues in the standard setting process</p> <p><b>Solutions Paper:</b> how would a fit-for-purpose water quality setting system work (which includes setting standards that consider realistic cost implications, funding sources and achievable timeframes; and an integrated regulatory and non-regulatory approach to set and monitor a fit-for-purpose RIS process)</p>	<p>Work underway with Allen &amp; Clarke (deliverable Feb 2018) and Solutions Paper (contract to be let) (deliverable June 2018)</p>
<p><b>Infrastructure</b></p> <p><b>Stormwater stocktake:</b> establish a picture of the condition of stormwater including flood control infrastructure across NZ</p> <p><b>Projected spending on 3 Waters and flood control infrastructure:</b> quantify the current value of 3 Waters and flood control infrastructure; quantify the projected/planned expenditure for 3 Waters and flood control infrastructure across NZ; provide an understanding of the ability to pay for infrastructure</p>	<p>Castalia contracted and DIA partnering on this workstream (deliverable March 2018)</p> <p>(deliverable March 2018)</p>

<p><b>Stocktake and Issues Paper on water infrastructure:</b> analyse the stormwater stocktake and projected spending on 3 Waters infrastructure and develop an issues paper that provides recommendations</p>	<p>(deliverable June 2018)</p>
<p><b>Cost/funding</b>  <b>Funding mechanisms and models:</b> develop funding options to meet freshwater and 3 Waters infrastructure needs and a term sheet for each selected funding mechanism.  <b>Report on 3 Waters Infrastructure costs (final):</b> builds on the stocktake and issues paper; outlines what is affordable under the current funding model for local government and gaps that exist; provide an understanding of what is affordable; include recommendations from Havelock North Inquiry</p>	<p>Seeking DIA partnering on options to feed into policy development and implementation. Proposals are being sought (deliverable March 2018)  Proposals to be sought (deliverable June 2018)</p>
<p><b>Governance</b>  <b>Model for a ‘dedicated drinking water regulator’:</b> develop a proposed model, based on Havelock North recommendations and position LGNZ to engage with the Government.  <b>Implications for regulatory governance:</b> consider implications for remaining service and pricing elements of the three waters</p>	<p>Work underway with Sapere (deliverable end Jan 2018)  Work to begin with Sapere (deliverable March 2018)</p>

LGNZ is working closely with DIA who has agreed to partner and/or share work on at least two of the above deliverables.

Once the above is completed, LGNZ will develop an over-arching position on water policy, which is estimated to be released by December 2018.

## **APPENDIX 2**

### **TLA Draft Minutes - 14 February 2018**



# Minutes of the Territorial Local Authorities Freshwater Collaboration Group meeting held Bay of Plenty Regional Council, on 14 February 2018 commencing at 10am

**Chair:** Ian Morton (BOPRC)

**Present:** Eric Cawte (RLC), Gary Allis (WBOPDC), Grant King (BOPDHB), Jon Fields (TCC), Kelvin Hill (WBOPDC), Steve Burton (TCC) Nicholas Woodley (WDC), Michael Van Tilburg (WDC), Tom McDowall (KDC)

**Staff:** Namouta Poutasi, Nicki Green, Adell Gilchrist, Stephen Lamb, Mark Ivamy, Clare Wooding (LGNZ, via teleconference).

**Apologies:** Aileen Lawrie, Ari Erickson, Branden Leonard, Celia Walker, Claudia Hellberg, David Bewley, Denis Lewis, Garry Poole, Gerard McCormack Glenn Sutton, Graeme Jelley, Jason Ward, Jim Finlay, Jim Miller, Miriam Taris, Nick Carroll, Paul van den Berg, Russell George, Shane McGhie, Tomasz Krawczyk, Eddie Grogan

## 1 Welcome

Ian welcomed the Group and advised that he would be stepping in to Chair for the next 6 months. Ian also noted that Agenda Item 9 (Water 2050) would start at 2.30.

## 2 Minutes from Previous Meeting and Actions Update

The minutes were taken as read and no amendments noted.

An update on the open actions were captured below:-

Action Ref	Date Raised	Action Description	Owner	Forecast Completion date
<b>Previous Open Actions</b>				
WMP834	30/03/2017	Havelock North - TLA's (All) to review letters received from Toi Te Ora in respect to drinking water bores to ensure recommendations have been addressed.  14/2 : Grant confirmed this can be closed	All TA's	Closed
WMP893	27/07/2017	Havelock North - smaller schemes – duty of care. How do we approach joint comms and education? Considered view as a group – how we can manage.  14/2 – Grant advised that Rotorua communications are in final draft. Ian agreed to follow up with Eric to get update.	Ian / Eric	30/3/2018
WMP964	21/11/2017	S36 charges – Alex to prepare and send the breakdown of the increase in charges relating to Central Government requirements.  14/2 – Namouta advised some rationale on the S36 charges and BOPRC committed to getting out letters by 16/2.	Alex (BOPRC)	16/2/2018
WMP967	21/11/2017	PC9 template for schedule 7 - Touch base with Jon Field and Shane McGhie – same offer will be made to all TA's. Work through any topics or issues and synergies for the template.  14/2 – Namouta advised meetings had been held.	James	Closed
WMP971	21/11/2017	There is duplication of modelling between BOPRC, TCC and others. Can we all work together? A joint stocktake of all Council models was proposed. Namouta to follow up and look into options.	Namouta Poutasi / All TA's	30/3/2018

Action Ref	Date Raised	Action Description	Owner	Forecast Completion date
		14/2 – It was agreed that BOPRC add locations including the catchment to their stocktake information and email this to TA's, TA's to then add to the s/sheet any modelling they have		
WMP972	21/11/2017	Modelling to be added to the next meeting agenda. To cover off the below: - River and catchment Modelling: led by Nic Conland. - Flood Water - Storm Water - Network modelling - Ground Water / Rain Fall  14/2 – Agreed to cover off in next agenda – Lisa.	Lisa Baty	30/4/2018
WMP975	21/11/2017	Havelock North - Grant to create and identify top risks for Toi Te Ora. Use similar template at BOPR Risk Register.  14/2 – Grant advised that an initial draft had been completed, with help from Adell (BOPRC), this will come back to the next meeting.	Grant King	30/4/2018
WMP976	21/11/2017	Havelock North - Risk Registers TA's to fill in the Potential Mitigation Plan. TA's to fill in Works Proposed. TA's to identify how risks were calculated within their Water Safety Plan.  14/2 – Agreed to close and cover off under Agenda 5.	All TLA	Closed
<b>Actions noted at the last meeting</b>				
WMP995	14/02/2018	Urban MP meeting will occur late February, Nicki Green to provide an update and feedback once received.	Nicki Green	5/03/2018
WMP996	14/02/2018	Nicola Green to inquire if we can get compliance information split out for each of the 3 waters areas?	Nicki Green	16/03/2018
WMP997	14/02/2018	BOPRC (Lisa) to capture information above from the GMP table and send out to all TLA's for each TLA to consider offline and provide feedback.	Lisa Baty	2/03/2018
WMP998	14/02/2018	BOPRC (Ian) to reach out to Glenn Ellery (BOPRC Data Manager) to organise a session on what monitoring BOPRC do and for each TLA to advise of their monitoring. This will help us all understand potential synergies.	Ian Morton	16/03/2018
WMP999	14/02/2018	Havelock North - 1. BOPRC (Lisa) to issue out the latest versions of the joint risk registers to the TLA's 2. TLAs to update the WSPs, based on joint risk registers prepared and advise BOPRC of any mitigation actions highlighted against BOPRC 3. BOPRC (Lisa) to add in annual agenda item to re-table WSPs at TLA forum 4. BOPRC (Adelle) to highlight to Toi Te Ora any updates required for the NES Drinking water register.	All TLA / Lisa Baty / Adell G	23/03/2018
WMP1000	14/02/2018	BOPRC (Lisa) to get a copy of the Tauranga Harbour Margins Rubbish Accumulation report and send through to members.	Lisa Baty	9/03/2018
WMP1001	14/02/2018	WBOP (Kelvin) to raise this advocacy issue with Water NZ regarding Wet wipes.	Kelvin Hill	30/03/2018
WMP1002	14/02/2018	Send a copy of the Local Government Declarations (x2) with TLA members	Stephen Lamb / Lisa Baty	9/03/2018
WMP1003	14/02/2018	BOPRC (Mark) to organise a separate session with TLA members (plus others) to discuss the MFE guidance on coastal hazards / climate change.	Mark Ivamy	30/03/2018
WMP1004	14/02/2018	LGNZ (Clare) to send through details of elected officials on National Council and reference groups.	Lisa Baty	9/03/2018
WMP1005	14/02/2018	BOPRC (Ian) to follow up with Terry Long and Regulatory compliance team about re-instating the sewer over flow meeting.	Lisa Baty	21/03/2018
WMP1006	14/02/2018	BOPRC (Lisa) to set up doodle poll for next meeting.	Lisa Baty	9/03/2018

### 3 National Update

An update was provided to the group covering three items (1) Land and Water Forum (LAWF) update; (2) swimmability update, and (3) Feedback from Regional Sector Annual Plenary session.

### 3.1 Land and Water Forum (LAWF) /

Members were advised that LAWF provided a report to the new coalition government in December 2017. This report captured a list of priorities for the new coalition government to consider.

### 3.2 Urban Good Management Practice

Nicola provided a presentation in regards to this. Attached as a separate presentation.

Ian advised, within the recommendations there was a section on Urban aspects, covering improvements that need to be considered for urban areas.

Nicola advised that she was part of a national group looking at Urban Good Management Practice, with the next meeting occurring later in February 2018. Nicola advised she would provide feedback from this meeting to forum members.

***ACTION: Nicola Green to provide feedback from Urban GMP.***

Nicola Green asked members for feedback on the following questions:-

<p>From the issues tabled, is there any issues missing</p>	<p>Nicolas (WDC) advised the issues noted seemed correct and advised that zinc used as a fertiliser, in Ōpōtiki there are copper issues (kiwifruit) and WDC are seeing E-coli issues.</p> <p>Steve (TCC) noted that a 5 year monitoring project has been completed, TCC are seeing some elevated areas that they are targeting, specifically around high traffic areas.</p> <p>Kelvin (WBOP) noted they have comprehensive catchment plans in place and monitoring is just starting. Kelvin advised through the WWTP operations, there is greater focus on N/P/E-coli, however very little done on ecological health.</p> <p>Eric (Rotorua) advised they are seeing issues on N/P/E-coli, no issues seen around Zinc &amp; copper at present.</p> <p>Integration was highlighted as an issue, member noted the term 'integration' is extremely broad &amp; they requested that Nicki seek more clarity on expectations.</p>
<p>What issues need national consideration?</p>	<p>Members noted that the list captured by LAWF on 3 water infrastructure is good start. Each TLA noted suggestions for issues that need national consideration:-</p> <p>WDC: WWTP renewal and affordability.</p> <p>TCC: Funding model of sensitive urban design, as private sector are designers, tension between private investors ROI and drivers for TA's. Central Govt means we are pulled in different directions e.g. are pushing for more housing which is in conflict with water quality outcomes.</p> <p>TCC: Renewals, looking at future, climate change &amp; feeding this into asset management programme, thinking needs to change. TLA's invest in 100 years assets, until clearer picture, people are putting decision making on hold.</p> <p>Kawerau: Climate change issues, recently there has been a lot of rainfall and this is impacting stormwater.</p>

	<p>WBOP: Noted the high non-compliance statistic. Expectations to make improvements (meet water quality standards) &amp; TLA's are struggling to keep up with current asset maintenance now.</p> <p>RLC: It was noted that there are non-compliances – It would be interesting to know where non compliances are? Is it in stormwater - Can we get more info? Members believe the source of the non-compliance stats is from the Water NZ benchmarking report. It would be good to split non-compliances into each of the 3 water areas?</p> <p>WDC: Funding is the big issue for areas not in high growth. What are the funding models for infrastructure? How do we meet new standards, especially in population decline areas?</p> <p>WDC: Even in growth areas - Development contributions help with CAPEX, not OPEX.</p> <p>RLC: Want growth in population, do not have means to fund this growth, TLA's are under a lot of pressure (across the board) - earthquake strengthening (museums), there are a lot of trade-offs.</p> <p>WBOP : Tourism levies, really should be led by central govt.</p>
<p>A lot of focus on quality / quantity - is there an issue with loss of waterways?</p>	<p>WBOP: Their council is against putting pipes in, if there is a gully, need to leave that in place, refer to Ōmokoroa as an example. Kelvin suggested we need to learn lessons from Auckland. Always tension with developers on this. Council have taken a strong view on this.</p> <p>TCC: Things have changed since 1990's, TCC are considering natural waterways &amp; looking to update stormwater amenities (even better than what developers have done). Costs money.</p>

***ACTION: Nicola Green to inquire if we can get noncompliance statistic split out for each of the 3 waters areas?***

***ACTION: BOPRC (Lisa) to capture questions asked and information above and send out to all TLA's for each TLA to consider offline and provide feedback.***

***ACTION: BOPRC (Ian) to reach out to Glenn Ellery (BOPRC Data Manager) to organise a session on what monitoring BOPRC do and for each TLA to advise of their monitoring. This will help us all understand potential synergies.***

### 3.3 Swimmability update

Ian advised that draft regional targets have to be put in place (as per requirements of NPSFM) by 31 March 2018. Ian advised that currently BOP is at 94% swimmability, based on the MFE modelling and assuming that we carry on with existing improvement programme we will reach 95.5% swimmability by 2040. Ian also noted that there would be improvement to all swimmability bands (A, B, C and D).

It was noted we are looking at a sector wide approach to approving swimmability targets and these would be publicly available by end March 2018.



### **3.4 Regional Sector Annual Plenary Session**

Ian tabled some notes from the Regional Sector Annual Plenary Session, which is attended by approximately 50 people. Ian advised the purpose of this annual session was to understand what the current focus areas were for the sector and to share ideas on how best to make sector wide improvements. Ian noted the key focus areas for the sector were:-

- Regional Economic growth
- Freshwater and land management
- Regional Land Transport
- Natural Hazard Risk management
- Climate change
- Information / Data.

Namouta mentioned that Vicky (CEO – MFE) presented and key points to note were:-

- Decisions are going through all three coalition partners, different from before
- To date MFE focus has been on first 100 days (climate / housing)
- No 1 priority for minister parker is how do we stop further degradation to water quantity and wants to see results by 2020
- Minister Parker is keen to look at appropriate enforcement roles, either through EPA or ministries.

## **4 Regional Update and Feedback (Policy)**

### **4.1 Plan Change 12 – Kaituna / Rangitāiki WMA Limit Setting**

Nicola provided a verbal update on PC12. It was noted the community group meetings have been delayed to June, based on modelling delays.

Nicky noted that they have introduced modelling to the community group. Jon Fields advised that community group members are confused about the model outputs. Nicola said she will take this on board and feed back to the PC12 team.

Namouta advised that MFE are carrying out economic analysis, by Perrin Ag looking at costs of mitigation packages, specifically costs of on farm activities for addressing key contaminants.

### **4.2 Tauranga WMA – NPSFM Limit Setting**

Namouta advised there is a meeting planned for February 2018 with the Tauranga Moana Advisory Group. At this meeting Tina Porou will provide a presentation on 'Te Mana o Te Wai'. Namouta noted that the Advisory group want to discuss joint decision making.

### **4.3 Rotorua WMA – NPSFM Limit Setting**

Namouta noted that Te Arawa Lakes Trust (TALT) are being contacted to lead a cultural stocktake and initial iwi/hapū engagement, supporting this limit setting process.

### **4.4 Region Wide Water Quantity Plan Change (Plan Change 9)**

Namouta advised that hearings are planned from 14-16 March and the hearing programme is being prepared. It was noted that all TLA's have got together and TCC will be presenting on behalf of all TLA's at the hearings.

#### 4.5 **Rotorua Lake Nutrient Management Plan Change (Plan Change 10)**

Namouta advised that deliberations were held in February 2018, appellants have been given six weeks to clarify their positions on what they are seeking.

#### 4.6 **Te Maru o Kaituna**

Namouta noted we are currently in deliberations stage. An updated report will go to the next Te Maru o Kaituna meeting responding to the majority of submissions. Submissions regarding the shape/structure of the document is still being worked through. Namouta advised that deliberations will take place in March 2018, go back in May 2018 with a plan seeking adoption, with public release in July 2018.

### 5 **Havelock North – Registers / Stage 2**

Two specific items were covered in this agenda item (1) What are the next steps for the Havelock North Risk Registers – prepared as a result of Stage 1, and (2) implications for stage 2.

#### 5.1 **Havelock North Joint Risk Register – Stage 1**

Ian talked through the timeline of activities around the creation of the Joint Risk Register (Stage 1), noting that a lot of effort had been put into the creation of these registers. Ian queried with the members – how do we want to use this going forward?

Eric (Rotorua) suggested that the information in the joint risk registers should be incorporated into the TLA's Water Safety Plans (WSPs), as the WSPs are the formal record of the risks / mitigation activities.

Steve (TCC) advised he would like all information incorporated into the WSPs, with an annual review of these re-tabled with the TLA FW Collaboration group, as a means of sharing / tracking progress.

Tom (Kawerau) stated they would like all information incorporated into the WSPs, with separate operational meetings to track joint actions, led by the TLA's.

Kelvin (WBOP) thought there was real benefit in doing this exercise as it flagged some areas that had not been considered. Kelvin flagged that there was still concern around new bores and Adell confirmed this was captured in the BOPRC risk register.

Grant (Toi Te Ora) saw the WSPs as the key document, and noted that there was benefit in the exercise.

As a result of the discussion it was agreed that BOPRC send out the current risk registers for the TLA's to update their WSPs, it was agreed that each TLA would advise BOPRC of any actions for BOPRC (within the WSPs). Agreement to annually come together to discuss risks however everyone would focus on their WSPs rather than the joint risk register. A separate action was agreed to feed back any discrepancies found on the NES.

***ACTION: BOPRC (Lisa) to issue out the latest versions of the joint risk registers to the TLA's***

***ACTION: TLAs to update the WSPs, based on joint risk registers prepared and advise BOPRC of any mitigation actions highlighted against BOPRC***

***ACTION: BOPRC (Lisa) to add in annual agenda item to re-table WSPs at TLA forum***

***ACTION: BOPRC (Adelle) to highlight to Toi Te Ora any updates required for the NES Drinking water register.***

Ian noted that Dr Karen Poutasi was presenting to the full council meeting on the 15<sup>th</sup> February and that members were invited to join the meeting for this agenda item.

## **5.2 Havelock North – Stage 2 Report discussion**

Steve (TCC) advised that no additional funds have been included in LTP 2018-2028 as a result of the Stage 2 inquiry, TCC would await the national direction.

Grant (Toi Te Ora) awaiting feedback from the ministry. Grant noted that in December the MOH wrote to each Council/municipal supplier highlighting the risk and recommending treatment. The DHB CEO wrote to suppliers that are currently untreated. To date a response has been received from Whakatāne and they are awaiting feedback from Kawerau. Grant advised that drinking water assessors are being firm and helpful on compliance, however they are working through any issues raised with councils. They are awaiting central government direction due end of February.

Eric (RLC) advised if there are new drinking water standards, then it will have significant impact, currently there are no additional funds in their LTP.

Michael (WDC) advised there are 4-5 smaller untreated water supply schemes in Whakatāne e.g. camp grounds, Galatea hall. Michael noted a paper is going to council on Friday in regard to the untreated schemes and this paper had been discussed with Grant. It was noted the WDC policy committee meeting will be held at Murapara next week. Staff are recommending chlorination however the community do not want this. Michael advised the WSPs were due in Dec, held off until the end of February. Michael noted WDC already had Murapara treatment in LTP 2018-2028 and no funding for smaller schemes.

Kelvin (WBOP) stated that \$5.5M was already in the LTP 2018-2028 for 3 water improvements, including UV treatment, fluoridation, upgrade systems, and bore checks including capital items to improve bore head security noting WBOP have already implemented some additional bore head security.

Tom (Kawerau) advised a report will go to council end of February 2018, with a preferred option to chlorinate, this will not go through a consultation process and it is expected to be implemented straight away. Tom noted that UV protection and additional monitoring are already in the LTP 2018-2028.

Fluoridation was discussed, Grant advised that the bill did not go through and are awaiting central government direction. It was noted that it will be difficult to get a common approach, based on the current mandate separated out to each DHB.

## **6 3 Waters Group Update**

Kelvin advised a number of Havelock North seminars have been held, with positive feedback. He encouraged all to attend.

Training & competency - Conexus provide services in this area. As a result of Havelock – a proactive approach to address is being taken, and trying to attract younger people.

Kelvin noted there has been a lot in the media around water, so there is a large amount of public interest currently, media articles included:

- Waikato - losing accreditation
- Christchurch GW issues

- E-coli issues
- Wairapa asbestos issues
- Firefighting foam contamination – Auckland.

Kelvin advised there is work progressing on the Collaboration document, with a joint session planned with WDC/WBOP/TCC. Kelvin also noted that a quarterly meeting is held between (WBOP/TCC) to discuss synergies and they are looking at TCC providing WBOP with lab services.

It was noted that the DIA 3 Waters review will go to cabinet at the end of February 2018. Following this a report will be released to the public, it is expected that funding, capability, capacity and need for central oversight will be flagged, this is similar to issues raised in Havelock North reports.

It was noted that a report has been prepared on the Tauranga harbour margins rubbish accumulation report, it was agreed to share this with all TLA members.

***ACTION: BOPRC (Lisa) to get a copy of the report and send through to members.***

Steve advised that we should be pushing for an NZ Inc. approach to disposable wet wipes, noting it would be good to get advocacy from water NZ on this. Currently wet wipes are being sold as 'flushable' and 'Biodegradable'.

***ACTION: WBOP (Kelvin) to raise this advocacy issue with Water NZ – Wet wipes.***

## **7 Climate Change - BOPRC Presentation**

Stephen Lamb and Mark Ivamy were introduced to members.

Stephen advised he was connected to some staff in councils, however no councils have dedicated people. It was noted that currently there is a lot of thinking and no doing.

Stephen provided a presentation covering the Local Govt Leaders Declaration, advising that all councils in BOP had signed up to this, with the exception of Ōpōtiki. Stephen advised this was presented to the Triennium and Councillors were keen for climate change to be incorporated into asset decisions. It was agreed any community discussions would be at a local level.

***ACTION: BOPRC (Stephen) to share a copy of the Local Govt Leaders Declaration with members.***

Stephen noted there is a lot happening nationally in first half of 2018 for climate change, BOPRC are putting funding into LTP and linking this work with our River Scheme Sustainability (RSS) project.

Steve (TCC) advised they have funding in their LTP for resilience work, in the first 3 years, funds for assessment only.

Stephen stated that BOPRC are focussed on adaptation, as mitigation is expensive. We are currently awaiting direction from central government on mitigation.

It was noted that the current asset plans do not have the same climate change assumptions, there may be benefit going forward to get common assumptions around this for input to asset plans.

Mark Ivamy provided a presentation to members. Key points noted were:-

- Tauranga harbour coastal project in place looking at susceptibility mapping and coastal erosion. Niwa are running an inundation component for this project.
- There is MFE guidance on coastal hazards / climate change. The first report captures what sea level rises we should be considering, this is then used for modelling, part of Tauranga harbour project we can then understand implications.
- An Inundation tool has been produced by Waikato, can see a 2 meter sea level rise and 3 meter seal level rise, with 200ml increments, allowing us to understand tipping points. It was noted this can be helpful to TA's. BOPRC have the Waikato script and we ran this for Ōpōtiki. TCC have a similar tool.
- Mark asked if there would there be value in getting SME's along to talk through the MFE report? It was agreed there would be use in this, probably run as a separate meeting, with invites to others.

***ACTION: BOPRC (Mark) to organise a separate session with TLA members (plus others) to discuss the MFE guidance on coastal hazards / climate change.***

## **8 Water and Climate Change - LGNZ**

Clare Wooding (LGNZ) dialled into the meeting.

A handout of the Water 2050 A3 was provided to all attendees.

Clare talked through the details of the five workstreams and the dates they were due (See Water 2050 A3). Clare advised that the National council have an advisory group set up for Water 2050, and each workstream has a reference group, includes elected officials.

***ACTION: LGNZ (Clare) to send through details of elected officials on National Council and reference groups.***

Allocation: Clare advised that LGNZ want to have a position on allocation options / methodologies for sharing at the LGNZ conference in July.

Water Quality: In regard to Water quality, LGNZ are preparing information on what is working and what is not.

Infrastructure: Clare noted for infrastructure a survey will be carried out in February 2018, with results in March 2018, focussing on stormwater.

Cost / Funding: In relation to cost/funding, LGNZ will look at the funding tools available, recognising that rates are not going to be the only solution, they will link this work in with the 3 waters project.

Governance: Clare stated that central government are considering what they do following Havelock and the governance work will help feed into this debate.

## **9 Round Table / AOB**

### **WDC**

- Advised McAlister pump station upgraded.

### **Kawerau**

- Been focused on asset management plans, some consents going through, there is a challenge getting support for consents longer than 10 years with iwi.

## **WBOP**

- PC9
- Exploring for additional water through bores - challenge having to dig around and find other water and when do find water - can be expensive to treat (iron / magnesium), potentially leverage off Waiari.
- Inundated consents. Te Puna completed. Ongare point going through final planning for resource consent. Will then be all waste water treated.
- Katikati consent progressing (20 year). Getting long durations through iwi is expensive / time consuming. Coromandel have various different treatment options and help field trip for iwi to see. Will be more emphasis on councils to have gone through detailed process on iwi consultation.
- Stormwater - still not got comprehensive stormwater consents over the line. 1 will go to environment report.
- 5 January event highlighted informal / unofficial stock banks. 1950s / 60s banks were done and not on district council registers. May flag roles and responsibilities for this.

## **Toi Te Ora**

- Working with councils that have untreated supplies.
- Work with Adell - data clean up.
- Compliance - sent out to councils, set expectations around critical control points to be available by 30 June and councils to do their own monitoring.
- IANZ accreditation, in Waikato did not have enough resources.

## **TCC**

- Waiari - physically it will commence this year. Blessing on 28th February.
- Implemented water restrictions before Christmas, first time in 18 years. Only on for 7.5 weeks. Community really helped with this.
- Southern pipeline project - memorial park to Matapihi. Hitting problems. Soft materials on top and settlement issues. Delay to commissioning.
- 8 years ago - did work on rainwater tanks. Looking at how to manage demand. Currently water too cheap to buy from council and promote like in Kapiti. Desktop review underway. Wellington are promoting this - resilience perspective.
- PC9 - using template that the RC put out. Drafting up what should be in a water management plan, will take a long time to land. Demand management approach and put into one document.

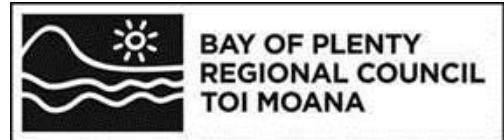
It was raised that there was a Sewer overflow group that met regularly, since Nick Zaman moved on this has come to a halt. The aim of the group was to try and standardise some of our processes around this and look at best practice. The TLA's all agreed this was a valuable forum and requested that this be re-instated.

***ACTION: BOPRC (Ian) to follow up with Terry Long and Regulatory compliance team about re-instating this meeting.***

**Meeting ended:** 3.00pm

**Next meeting:** TBC [Agreed a doodle poll should be sent out]

***ACTION: BOPRC (Lisa) to set up doodle poll for next meeting.***



Receives Only – No Decisions

**Report To:** Regional Direction and Delivery Committee

**Meeting Date:** 04 April 2018

**Report From:** Kataraina O'Brien, Strategic Engagement Manager

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## Te Mana Whakahono a Rohe: Update

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### Executive Summary

In April 2017 amendments to the Resource Management Act introduced the Te Mana Whakahono a Rohe (MWR) regime which seeks to enhance the potential role for iwi in RMA decision making processes of Council. MWR will strengthen Councils engagement processes, bring better efficiencies and build enduring strategic and working relationships.

A report on the MWR legal framework, key opportunities and implications was presented at a Regional Directions and Delivery Committee workshop on 14 September 2017.

This report provides further detail about the implementation process, key decisions points for Council and an update on the Tapuika Iwi MWR currently before Council.

The report will be accompanied by a short presentation from representatives of the Ministry for the Environment and Tapuika Iwi Authority.

### Recommendations

**That the Regional Direction and Delivery Committee under its delegated authority:**

- 1 Receives the report, Te Mana Whakahono a Rohe: Update;**
- 2 Notes key decision points for Council, as part of the Mana Whakahono implementation process.**
- 3 Endorses a collaborative approach to working with other local authorities where a Mana Whakahono invitation, jointly involves their district / region.**

### 1 Background

In April 2017 amendments to the RMA introduced the Te Mana Whakahono a Rohe (MWR) regime which seeks to enhance the potential role for iwi in RMA decision making processes of Council.

Māori Policy staff prepared a report for the 27 April 2017 Komiti Māori hui (this report was provided to the Regional Direction and Delivery Committee meeting on 18 May 2017). More recently, a discussion paper on the MWR legal framework, key opportunities and implications was presented at a Regional Directions and Delivery Committee workshop on 14 September 2017 (attached as [Appendix 1](#)).

The MWR regime places a statutory obligation on councils to engage with iwi, to formalise agreement on RMA participation arrangements. At its core, its purpose is to provide a mechanism which records how iwi will participate in decision making, and to assist councils to comply with their statutory duties under the RMA, including the implementation of sections 6(e), 7(a) and 8. The over-arching tenant of the MWR regime is for councils and iwi to agree on measures to enhance iwi participation in RMA decision making.

The Act set outs compulsory matters (“must-do”) that must be included in an MWR agreement (i.e. provisions around planning, monitoring, consultation) and also provides broad discretion for Council and iwi to *jointly* agree on other matters (“may do’s”) including arrangements relating to any other functions, duties, or powers under the RMA.

Procedural matters including initial timeframes, dispute resolution and implementation are also included under the Act.

The Ministry for the Environment released draft guidance on MWR in January 2018, with formal guidelines anticipated in the 2<sup>nd</sup> quarter of the year.

## 2 RDD workshop matters

At the RDD workshop (Sep 2017) Councillors identified a number of points for further clarification, the key themes from which are listed below. These will be addressed as part of this report, together with the accompanying presentation by staff and external presenters.

- Implementation process and Council decision points
- Resourcing and budget implications
- Multi-party agreements

## 3 Implementation process and Council decision points

As a completely new legislative regime (and largely in the absence of formal guidelines from central government), implementation has been a gradual process as staff have sought to develop an approach that is both pragmatic and consistent with the MWR statutory principles.

At a broad level, the implementation process can be considered in four phases as detailed below.

- **Phase 1: (Initial Meetings)** – sets the procedural framework including: milestones, timeframes, principles, identifying parties and other procedural matters.
- **Phase 2: (Scoping)** – focuses on developing the *initial* scope of a MWR agreement, including both ‘must do’ (statutory requirements) and ‘may do’



(discretionary matters). This phase is potentially the most critical as it traverses the extent to which iwi may be involved in decision making and the degree to which that involvement may impact on Council. Robust discussions will cover decision making concerning; planning; monitoring; engagement and other function of council.

- **Phase 3: (Comprehensive Dialogue)** – involves detailed discussion, assessment and further development of the matters agreed in Phase 2. Once the initial scope has been agreed, both parties will need to consider the potential implications arising from the scoping exercise.
- **Phase 4: (Drafting and Finalising agreement)** - legal review and drafting of agreement for formal endorsement jointly by Council and Iwi.

Regular reports to Council and actions / decision points occur as an integral component of each phase. These are detailed against each phase in the [Appendix 2](#). Particularly key decisions occur in Phase 2 where agreement on the proposed scope and Councils *position* on any discretionary matters (may do's) will need to be determined.

In keeping with the MWR legislative principles, parties should maintain a principled approach in preference to advancing a predetermined position, particularly on any discretionary matters, where *joint* agreement is required. Ultimately there must be a sufficient evidentiary base or clear rationale for a matter to be included or excluded from the final agreement. To do otherwise runs the risk the other party may invoke the MWR legislative dispute resolution process.

By way of example, as part of the scoping exercise in Phase 2, parties may agree to the initial inclusion of a particular matter (i.e. s36 Joint Management Area). However, further assessment (due diligence) in Phase 3 will likely determine the feasibility (or otherwise) of that matters continued inclusion within the final agreement.

## 4 Resourcing and budget implications

Whilst participating parties are required to meet their own costs, resourcing and budgetary considerations are a relevant consideration for both Council and iwi.

Currently, staff resourcing forms the primary cost to Council. MWR work to date has been led by Māori Policy staff and undertaken within the current operational budget for Kotahitanga/Strategic Engagement. At current levels, costs may continue to be absorbed within current operational budgets, however, budget implications may arise, should the volume of MWR invitations significantly increase. We note in this regard a number of additional MWR are anticipated as discussed at paragraph 5.

From discussion with iwi and other agencies, resourcing is a key concern for iwi seeking to initiate and/or progress a MWR. The Ministry for the Environment has confirmed its awareness of this issue, and whilst it earlier signalled a dedicated funding stream for this purpose, no further announcement has been made.

Tapuika has also signalled the need for resource support as currently impacting their participation in the MWR process. At a broader level Tapuika have also expressed awareness of their current capability / capacity constraints, and the impact of this in considering potential options for inclusion in a MWR agreement.

## 5 Multi-party agreements

Previous advice to Council outlined the potential for multi-party agreements and recommended these be encouraged where possible and appropriate. Perceived benefits to this approach include: consistency in arrangements across groups, responsiveness to overlapping iwi interests, cost effectiveness and greater overall efficiencies.

Currently Tapuika has the only active invitation before Council; however, they have expressed an openness to a multi-party approach with neighbouring iwi with shared interests. It is understood Tapuika are continuing discussions with two iwi for this purpose.

At a broader level, two other iwi entities have indicated a strong interest in initiating a MWR within the near future. Uniquely, both entities represent a large number of individual hapū/iwi on a collective basis and are particularly well appraised of the RMA planning framework, which may yield a different dynamic.

At a local government level, Council staff have held exploratory discussions with other local councils, with a view to working collaboratively on MWR matters where an invitation jointly involves their district / region. Operationally there is general acknowledgement of the merit in working collaboratively for this purpose and a willingness to further develop this relationship. It is recommended this approach be endorsed by Council, to support the continue progression of work in this space.

Finally to note, as the first (and currently only) council in receipt of a MWR invitation, there is a growing level of interest from both iwi and councils nationally, in the development of the Tapuika MWR agreement. This presents a continue opportunity for Council to demonstrate local government leadership in the council-iwi space.

## 6 Tapuika MWR progress update

Council received an invitation from Tapuika on 6 June 2017.

An initial meeting was held on 17 August, premised on understanding Tapuika aspirations through a presentation prepared by the Tapuika Iwi Authority. Tapuika restated their association with the rivers, sea and surrounding land and confirmed that association through their Treaty settlement and comprehensive Environment Management Plan. Tapuika also noted other iwi authorities with shared interest in certain matters and councils that may require involvement at a future point. Two additional meetings have been held since then, to better understand Tapuika aspirations and the initial scope of MWR discussions.

Agreement has been reached on procedural matters including guiding principles and key phases of the MWR process. Agreement on key milestones and timeframes will be sought at the next meeting (4 April) together with an overarching draft vision statement (as prepared by Tapuika). Subsequent to this, discussions will then move into Phase 2 of the MWR implementation process.

There is an 18 month statutory timeframe from receipt of a MWR invitation; however, parties can extend this by mutual agreement. The current timeframe for the Tapuika MWR runs to December 2018.

## 7 Presenters

External presenters:

- Ministry for the Environment - Claire Gibb (Senior Policy Analyst)

Ms Gibb will discuss the statutory framework, MWR guidelines and general policy matters. [Presenter profile information to be inserted]

- Tapuika Iwi Authority - Ateremu McNeill (Deputy Chair) -

Mr McNeill will provide an overview of Tapuika aspirations and desired outcomes as an iwi currently involved in the MWR process. [Presenter profile information to be inserted]

## 8 Implications for Māori

MWR regime provides a legal framework for Council with clear legislative directives. MWR will improve Council-iwi engagement processes and provide for better, more informed decision making by enhancing the opportunities for iwi to participate in RMA decision making processes of Council. Councils are now obligated to reach an agreement on how iwi, through a statutory arrangement, may ensure that matters of significance can be addressed. MWR will provide a conduit for iwi to ensure their involvement in planning and policy matters are clearly articulated.

There may be an impact on iwi capability and capacity depending on the extent of the agreement. There are no obligations on Council to provide the resources that will support iwi endeavours here, but the intent of the legislation is not to make these compacts onerous and difficult to implement and sustain. The intention is to ensure that these arrangements will be enduring.

The time required to complete a MWR is 18 months from the date the invitation was received by Council. The level of engagement required to achieve a finalised agreement, noting the key components above, will be resource intensive. While some iwi are in a position to engage Council in discussions, others are under-resourced and do not have current capability or capacity to do so.

While considerations as to staff resources and funding may be required, there are benefits through the formalisation of arrangements with iwi. Clarity on how to engage and how to enable Māori participation in decision making processes and resource management will eliminate doubt as to how and what will involve Māori. A more responsive approach can be achieved through a formalised statutory arrangement enabling smarter deployment of resources and funds.

## 9 Summary

The MWR regime provides a suite of enhanced provisions for Māori, the intent of which is primarily focused on facilitating improved participation, engagement and relationships between councils and iwi. There will be benefits for Council and iwi once a MWR is reached. Council will gain a far better understanding of what iwi want (in relation to RMA processes), which iwi want to be involved in, how iwi want to be involved, and when. This will strengthen Councils engagement process and bring better efficiencies; most importantly, it will serve to build enduring strategic and working relationships.

## **10 Council's Accountability Framework**

### **10.1 Community Outcomes**

Implementation of the MWR work programme directly contributes to the Development of Māori Capacity to Contribute to Decision-making Processes, and aligns with the Regional Collaboration and Leadership community outcome in council's Long Term Plan 2015-2025. Māori engagement and relationships is a significant consideration in Council work streams.

### **10.2 Long Term Plan Alignment**

The responsibility to develop, formalise, implement and monitor MWR will be shared across relevant Council teams. Under the LTP, the Regional Planning Activity has responsibility to implement planning documents under the RMA. MWR is a new work stream within that Activity.

The Māori Policy team are able to facilitate and co-lead this work, but does not have the resources or all of the necessary technical knowledge to manage multiple agreements. Given the focus of MWR regime on RMA planning processes, it will require resourcing from planning teams and possibly other teams who undertake the regulatory functions of Council.

#### **Current Budget Implications**

MWR work to date has been led by Māori Policy staff and undertaken within the current Māori engagement budget.

#### **Future Budget Implications**

A specific MWR work budget is not provided for in Council's Long Term Plan 2015-2025.

At current levels, costs may continue to be absorbed within current operational budgets; however budget implications may arise, should the volume of MWR invitations significantly increase.

The scope and scale of MWR work into the near future is uncertain. Some of the initial ground work will be partially provided for in Council's LTP 2015-2025 through individual budgets dedicated to Māori engagement, Treaty and relationship work.

Herewini Simpson  
**Senior Advisor (Treaty)**

**for Strategic Engagement Manager**

**26 March 2018**

# **APPENDIX 1**

## **RDD Workshop Report -Te Mana Whakahono a Rohe (Revised Final) - 14 September 2017 PDF**



# WORKSHOP PAPER

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**To:** Regional Direction & Delivery Committee  
Workshop

14 September 2017

**From:** Kataraina O'Brien  
Strategic Engagement Manager  
  
Anaru Vercoe  
Team Leader Maori Policy

**Date:** 8 September 2017

**Subject:** Te Mana Whakahono a Rohe Agreements

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## Summary

Mana Whakahono a Rohe/ Iwi Participation Agreements (MWR) are provided for under new sub-part 2, Part 5 of the amendments to the Resource Management Act 1991. Staff have analysed and prepared a report which analyses and presents the proposed components of implementation for MWR. The implications for Council are largely centred on enhancing the role Iwi have in the decision-making processes of Council.

## Council direction sought

In this workshop, staff will seek guidance and direction from Council on:

- 1) The principles to be applied in discussions with iwi and how Council is to proceed;
- 2) Supporting iwi in proactively implementing MWR;
- 3) The mandatory components of an agreement – “the must do’s”.

## 1 Introduction

In April 2017 government introduced several amendments to enhance Māori participation in decision making. Of particular note was new sub-part 2 under Part 5 of the Resource Management Act 1991 which set out provisions for Mana Whakahono a Rohe agreements (MWR).

In Part One of this paper key aspects of the new MWR provisions set out Council’s responsibilities, who can initiate a MWR, the contents of an agreement and what can be included in it. In Part Two of the paper staff have considered what Council must do, the proposed principles for engagement/negotiation with iwi and the process for implementation of MWR.

## 2 Part One: Analysis of the Provisions

### 2.1 The purpose of MWR

- (a) To provide a mechanisms for iwi authorities and local authorities to discuss, agree, and record ways in which tangata whenua may, through their iwi authorities ***participate in resource management and decision making processes under this Act***, and,

- (b) **To assist local authorities to comply with their statutory duties under this Act** including the implementation of sections 6 (e), 7 (a), and 8.

The intention is to enhance Māori participation in the decision making processes of Council. This does not mean that they have “decision making privileges” unless: s58R(4)(c) parties have agreed to “any arrangement relating to other functions, duties, or powers under this Act” (see section 30 of the RMA). Those functions only relate to the RMA.

## 2.2 Who can initiate a MWR?

### ***Iwi initiated (preferred approach)***

An iwi authority can initiate a MWR. Staff are applying the RMA interpretation of an iwi authority: “*the authority which represents an iwi and which is recognised by that iwi as having authority to do so.*” Note, that some hapū have a similar status to iwi, particularly in Tauranga Moana. Should these hapū invite Council into discussions, Māori Policy advise Council to accept their invitations.

The iwi initiated option can have drawbacks particularly in scheduling meetings with a number of iwi who have opted to have an independent rather than a collective arrangement with other authorities. This can also produce a variety of arrangements ranging from a global “catch-all” scenario, to one which focusses only on a particular matter, such as fresh water management.

Despite these complexities, staff consider this option more practical as it limits invitations to “iwi initiated” as opposed to the scenario that will happen under the Council initiated approach.

### ***Council initiated***

*A local authority or regional council can initiate a MWR with either an iwi or a hapū.* Note – only a local authority can receive or initiate an invitation.

Council may consider this option as it has some benefits in terms of setting the parameters for negotiation from the beginning. This option enables Council to:

- Determine the scope: it may broadly cover a range of opportunities or it may focus on a particular area of work (for example fresh water).
- It promotes a standardised approach enabling timing and allocation of resources

There are draw backs with this approach:

- Iwi may prefer to develop their own set of negotiating parameters and may decline a Council initiated invitation.
- There may be a reluctance from iwi to negotiate within the parameters that Council sets.
- NOTE: Council would need to deal with those invitations it receives as well as those that it initiates out – effectively increasing the work-load on staff.

Hapū would call for the opportunity to be invited. With 260 hapū in the region this would become an impossible task for Council to manage.



## 2.3 Timeframes for initiating an invitation

Invitations can be initiated at any time except 90 days before the date of a triennial election. The receiving authority must arrange an initial hui within 60 days of receipt of an invitation (this can be changed if parties agree).

Should parties agree to negotiate they have a statutory timeframe of 18 months to complete the agreement or depending on the nature, complexity or extent of the terms, any time which the parties agree to.

### Receipt of invitations

Councils must notify/advise other relevant iwi or local authorities that an invitation has been received and convene a hui within 60 days of receiving the invitation (unless parties agree otherwise). Further work is required to develop a consistent approach which clearly sets out the Council's bottom lines prior to entering into negotiations with iwi.

Māori Policy are currently tasked with receiving invitations, notifying other iwi and local authorities, and arranging the initial hui with iwi. Where other staff are required, Māori Policy will request that they be present and provide their specialist advice at hui.

### Multi-party agreements (preferred)

On receiving an invitation Council must inform any other relevant iwi and local authority. Māori Policy have proposed that on receipt of an invitation all iwi and local authorities should be informed. While Māori Policy staff have a good understanding of overlapping interests and area of interests in the region, this is not conclusive. Those iwi who are looking to settle with the Crown may have interest identified through the settlement process that were not previously known by Council. A case in point is the Pare Hauraki settlement which has the potential to extend their area of interest into Tauranga.

Multi-party agreements will be more difficult to achieve in the region as the nature and characteristics of iwi tend towards independence from other iwi. The settlement process has at time expedited long held "grudges" between iwi and hapū and in some cases has stifled progress.

There are a few groups which may consider the multi-party approach:

- Ngāti Awa, Ngāti Manawa, and Ngāti Whare
- Tapuika, Ngāti Whakaue, Ngāti Pīkiao, Ngā Pōtiki, Ngāti Rangiwewehi, Ngāti Makino and Waitaha
- Tauranga-Moana

Initiating agreements would require pre-planning largely centred on meeting with them and seeking whether this approach would be appropriate. MWRs can reflect the distinct interests of iwi and councils, but would likely have a more standardised approach concerning participation in the decision making processes of councils.

### Scheduling MWR

Section 58O – If 1 or more local authorities in an area are negotiating a MWR and a further invitation is received under 58O the participating authorities may agree on the order in which they negotiate a MWR. Participating authorities may request that the additional invitation become part of the current negotiations for a MWR.

## 2.4 Additional contents of a MWR

Under section 58R (contents) of the RLAA, an agreement **may** also contain:

- Other agreements entered into with Council
- Iwi Management Plans – iwi may append or specify what parts of their IMP relate to participation in decision making
- How a local authority is to consult/notify with iwi on resource consent applications where the RMA requires consultation or notification
- When it is appropriate for iwi to be given limited notification as an affected party
- An arrangement concerning other functions, powers or duties under the RMA. **Note, section 30 of the RMA sets out the functions of regional councils.** By virtue of those functions iwi may request:
  - representation onto a committee of council which considers matters in relation to the RMA
  - transfer of powers under section 33
  - delegation of specific decision making powers to joint-committees (co-governance bodies) or to an iwi authority
- Where there is a collective agreement – specify how iwi authorities will work together with local authorities
- Delegation of a role to an individual or group to participate in particular processes under the RMA.

## 2.5 Dispute Resolution Process (resolving disputes concerning the implementation of a MWR)

**Note** this provision is related to the implementation of a MWR as per section 58R(1)(c)(vi):

- “the process that the parties will use for resolving disputes about the implementation of the MWR including matters described in subsection (2).”
- A MWR must contain a dispute resolution process including those provisions set out under sections 58R(2). The agreement may contain the process to resolve:
- Whether to alter or terminate a MWR (if parties agree as per section 58R(5))
  - When to complete a MWR, other than the 18 months specified under section 58Q
  - When to complete a review of a local authorities policies and processes, other than the time specified in section 58T(2) – (within 6 months of concluding a MWR)
  - When the review of a MWR is to occur other than the time specified under section 58T(3) – (every 6 years)

### Resolution of Disputes that arise in the course of negotiating a MWR

Section 58S prescribes the process by which participating parties resolve disputes when negotiating a MWR. The process includes:

- To agree on having a binding or non-binding process;
- When undertaking either a binding or non-binding process to jointly appoint an arbitrator or mediator;
- Parties meeting their own costs;

- If the binding or non-binding process fails parties may individually or jointly seek the assistance of the Minister who may:
  - Appoint and meet the costs of a Crown facilitator.
  - Direct the participating parties to use a particular dispute resolution process

Note that the decision/recommendation of the Minister is binding on participating parties.

### **Review and Monitoring**

Under section 58T, a local authority must review its policies and processes within 6 months of concluding a MWR (unless an alternative timeframe has been agreed to under the MWR). This is to ensure that those policies and processes are consistent with the contents/terms of the MWR.

The review and monitoring process is likely to be resource intensive involving teams from across of council. The review must be completed within 6 months – the implementation of the review findings would most likely take a number of years – depending on the extent of the agreement. A MWR should be jointly reviewed by the participating authorities every sixth anniversary of the agreement which suggests that implementation should be completed within the first 6 year cycle.

## **3 Part Two: Implementing MWR**

In this section staff seek direction from Council on the proposed approach set out below:

- a) The principles to be applied in discussions with iwi and how Council is to proceed
- b) Supporting iwi in proactively implementing MWR
- c) The mandatory components of an agreement – “the must do’s”

### **3.1 The principles to be applied in discussions with iwi and how Council is to proceed**

One of the tasks that parties who agree to move into negotiations is the process by which negotiations will proceed – or the “how” negotiations will be undertaken. To guide council through this process it is proposed that a set of negotiation principles are used to set the Council parameters for discussions. These are proposed to be:

#### ***Open and frank discussions***

This incorporates:

Setting the limits on what other matters may be included in the agreement

- Providing parties with the opportunities to debate matters constructively and with integrity
- Resolving issues and agreeing on a common outcome (applying the dispute resolution process)
- Not extending or expanding on the provisions already provided for under Treaty Settlements

**Set agreed phases for negotiations**

This incorporates:

- Setting phases of the negotiation process and milestones within those phases:
  - Concept
  - Drafts
  - Final
- Agreeing on timeframes for each phase of the negotiations
- Allowing some flexibility should issues require resolution
- Determining resources that would be required (note parties under the legislation are to bear their own costs associated with resolution of disputes unless otherwise agreed).

**Building relationships**

Establishing and recognising the mutual benefits is the fundamental principle upon which MWR agreements are built.

**Participation in Decision Making**

Staff seek direction from on Council its understanding of “participation in decision making”. The legislation enables iwi to negotiate with Council the extent to which they may participate. This includes:

Those matters set out under section 58R(4), particularly:

- How a local authority is to consult or notify an iwi authority on resource consent matters
- Circumstances in which an iwi may be given limited notification as an affected party
- Any arrangement relating to other functions, duties or powers under this Act (section 30)
- Whether a participating authority has delegated to a person or group of persons (including hapū) a role to participate in particular processes under this Act.

Establishing the criteria or parameters for negotiation is critical to having a consistent approach when in discussions with iwi. These effectively form the proverbial bottom-line.

**3.2 Proactively supporting iwi in implementing MWR****Initial hui with Iwi (Mandatory)**

The purpose of the first set of hui is to discuss the process for negotiation: who will be involved and any stages/milestones of the negotiations. If parties are able to agree on how they will develop the MWR, then they must proceed to negotiate the terms of the agreement. The timeframe for concluding a MWR is 18 months from receipt of the invitation or a period agreed to by the participating authorities.

**Guiding Principles for Discussions**

Parties MUST use their best endeavours to apply the Guiding Principles under 58N when entering into discussions. This applies to the initiation, development and implementation of a MWR.

If parties cannot agree on “how” to develop a MWR, then a dispute resolution process as prescribed under the Act must be followed which enables either a binding or non-binding process. In both cases a jointly appointed arbitrator or mediator will manage the dispute resolution process.

Failing arbitration, the Minister will intervene at the cost of participating authorities and appoint a Crown facilitator.

### ***Reporting to Council***

Staff propose to report to Council when the agreed milestones for discussions have been achieved. The timeframes and milestones are considered in the initial meetings with iwi and are instrumental in giving direction on how parties should proceed.

Staff consider that effective and informed decision making will be achieved when discussion is focussed on key outcomes relating to each milestone.

### ***Encouraging multi-party agreements***

It is recommended that multi-party agreements should be encouraged where possible. This would promote consistency in arrangements across groups and take into account overlapping interests amongst iwi. This approach in many respects is cost effective and overall less resource intensive than arranging individual agreements with iwi.

### ***Negotiation Hui***

Priority should be given to hui and must be scheduled and fixed to ensure that negotiations are uninterrupted. On occasion additional hui may be required to meet the milestones of each negotiation phase.

Council may also consider making a contribution towards the costs for travel, venues (if held at marae or other non-council sites) and catering. Unlike other meetings called by council, the hui occur as a result of an invitation being sent to Council. There is no obligation on Council to provide financial support for these types of costs, but in the interests of progressing negotiations and to support relationship building, it would be a prudent action.

Council’s position on “participation in decision-making” will shape the extent to which negotiations will proceed. Iwi are likely to suggest options that will extend beyond Council’s position.

### ***Legal***

These can be absorbed internally through Council’s legal services, however, the Legal Adviser covers a multitude of other issues and may not have the capacity to undertake multiple agreements. Council may consider using its external legal consultants in conjunction with the Senior Policy Adviser (Treaty) who is a qualified lawyer). It is expected that legal advice will be called upon where details concerning resolution of disputes, drafting the agreement and occasional advice to the negotiating team are required.

### ***Budget***

We are currently meeting requirements to negotiate and implement MWR within existing budgets. This is based on the assumption that a small number of agreements will be progressed each year. Participating authorities are required to meet their own costs.

### 3.3 The Mandatory Components of an Agreement – “the must do’s”

Before council enters into discussions there are components of a MWR that are mandatory and must be incorporated into an agreement. Negotiating the terms of an agreement should be cognisant of the “must do” provisions of the legislation. Understanding these obligations is critical when developing a bottom line Council negotiation strategy and are attached to this report.

Given the scope of the mandatory components, and the timeframe of 18 months to complete an agreement, Council may consider developing a strategic approach to Māori engagement which would take account of the general parameters of MWR. The strategy would inform how Council and iwi would work together, align with the particular requirements under the Public Consultation and Engagement Strategy and promote a consistent organisation wide approach to iwi engagement.

## 4 Direction sought

In summary staff seek direction on:

1. The preferred approach for initiating MWR agreements where iwi are the initiators of the process.
2. Encouraging multi-party agreements which would promote consistency and take into account any overlapping interests, particularly with iwi.
3. A Council position on “participation in decision making”:
  - a. Whether to include those additional provisions under 58R(4) alongside the mandatory requirements;
  - b. develop a Iwi Engagement Strategy that takes into account the general parameters of MWR.
4. The principles of negotiation:
  - a. Open and frank discussions
  - b. Setting goals
  - c. Building relationships
  - d. Council’s position on the scope of participation in decision making.

**Kataraina O’Brien**  
Strategic Engagement Manager

**Anaru Vercoe**  
Team Leader Maori Policy

# **APPENDIX 2**

## **MWR Implementation & Decisions**





Phases of MWR implementation (Statutory timeframe 18months from receipt of invitation)	Components	Key decisions / action points for Council
<b>PHASE 1: INITIAL MEETINGS</b> (how to proceed)	<ul style="list-style-type: none"> <li>- Meet &amp; greet: establish relationships with principal representatives</li> <li>- Understanding what the provisions</li> <li>- Determine and agree upon phases of the MWR</li> <li>- Set milestones and timeframes + general areas for discussion</li> <li>- Who is participating (Initiating Iwi + receiving Council + additional iwi and local authorities)</li> <li>- Funding support (central or local government)</li> <li>- @4 meetings but may require more</li> </ul>	<ul style="list-style-type: none"> <li>- Reports to Council within this phase: <ul style="list-style-type: none"> <li>o Following receipt of a MWR invitation, Council to be notified at next scheduled meeting</li> <li>o Progress of procedural matters</li> </ul> </li> <li>- <b>Council Actions</b> <ul style="list-style-type: none"> <li>o Note receipt of MWR invitation</li> <li>o May appoint representative to attend <i>initial</i> hui</li> <li>o Note agreement on Phase 1 (procedural) matters</li> </ul> </li> </ul>
<b>PHASE 1 OUTCOME: Project timeframe and milestones</b>		
<b>PHASE 2: SCOPING</b> (What are we including)	<ul style="list-style-type: none"> <li>- Must do's (statutory requirements) <ul style="list-style-type: none"> <li>o Planning</li> <li>o Monitoring</li> <li>o Engagement</li> </ul> </li> <li>- May do's (discretionary matters) <ul style="list-style-type: none"> <li>o Other functions of council (s30 RMA)</li> </ul> </li> <li>- Staff: Māori Policy + other teams (depending on scope); GM</li> <li>- @4 - 6 meetings (depending on the number of authorities)</li> </ul>	<ul style="list-style-type: none"> <li>- Reports to Council within this phase: <ul style="list-style-type: none"> <li>o Progress on development of proposed scope</li> </ul> </li> <li>- <b>Council Decision</b> <ul style="list-style-type: none"> <li>o Confirm <i>proposed</i> scope of agreement meets statutory requirements (must do's)</li> <li>o Confirm councils <i>position</i> on any discretionary matters (may do's) included within the proposed scope</li> </ul> </li> </ul>
<b>PHASE 2 OUTCOME: Reaching agreement on scope</b>		
<b>PHASE 3: COMPREHENSIVE DIALOGUE</b>	<p><b>Framing up the areas of participation including the mandatory provisions under sub-part, Part 5</b></p> <ul style="list-style-type: none"> <li>- Discussions on bottom lines (both iwi and Council) <ul style="list-style-type: none"> <li>o Council bottom lines must be evidenced based: there are clear rationale relating to each bottom line</li> <li>o The extent of Iwi requests: s30 Council functions (RMA); notification of resource consents; 3<sup>rd</sup> party to resource consent applications; schedule 1 matters including amendments to the RMA (s34A(1A), Schedule 1 clause 4A)</li> </ul> </li> <li>- Assessment/due diligence of iwi capability and capacity to undertake any functions under section 30 (RMA) – this may include participation on a committee of council relating to any matters under section 30.</li> <li>- Due diligence should section 33 be requested</li> <li>- Determining agreed methods of monitoring under the RMA (note this would include any National Policy Statement that refers to Mātauranga Māori); and any methods under the Regional Policy Statement</li> <li>- Identifying any other relevant iwi participation agreements (MOUs, co-management arrangements, Treaty Settlements)</li> <li>- An agreed approach to engagement with iwi</li> <li>- A process for identifying and managing conflicts of interest</li> <li>- A process for resolving disputes concerning the implementation of MWR (noting the requirements under 58R(2))</li> </ul>	<ul style="list-style-type: none"> <li>- Reports to Council within this phase: <ul style="list-style-type: none"> <li>o Progress on advanced development of proposed scope and Council response</li> <li>o Progress on bottom line discussions (including legal opinion) and Council response</li> <li>o Assessment of iwi capability / capacity and Council/Iwi response</li> <li>o Legal opinion on proposed scope – response from Council/Iwi</li> <li>o Final scope agreed</li> </ul> </li> <li>- <b>Council Decision</b> <ul style="list-style-type: none"> <li>o Confirm position on <i>final</i> scope of agreement</li> </ul> </li> </ul>
<b>PHASE 3 OUTCOME: Agree detail of MWR</b>		
<b>PHASE 4: DRAFTING FINAL AGREEMENT</b>	<ul style="list-style-type: none"> <li>- Legal review and preparation of draft agreement (Council and Iwi)</li> <li>- Preparation and sign off of final agreement</li> </ul>	<ul style="list-style-type: none"> <li>- Reports to Council within this phase: <ul style="list-style-type: none"> <li>o Progress on drafting of agreement</li> </ul> </li> <li>- <b>Council Decision</b> <ul style="list-style-type: none"> <li>o Formal endorsement of final agreement.</li> </ul> </li> </ul>
<b>PHASE 4 OUTCOME: MWR Agreement</b>		

