

Proposed Bay of Plenty Regional Policy Statement
Section 32 report
Matters of national importance



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Section 32 Report

Matters of National Importance

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1 Introduction

This report presents the Section 32 evaluation in accordance with the Resource Management Act 1991, “Consideration of alternatives benefits and costs” for the Proposed Bay of Plenty Regional Policy Statement (RPS) on the Matters of National Importance chapter provisions. Section 32 states:

32 *Consideration of alternatives, benefits, and costs*

(1) *In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—*

.....

(c) *the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or*

(3) *An evaluation must examine—*

(a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*

(b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

.....

(4) *For the purposes of [[the examinations referred to in subsections (3) and (3A)], an evaluation must take into account—*

(a) *the benefits and costs of policies, rules, or other methods; and*

(b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

(5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*

(6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.*

1.1 Structure of this report

Section 2 of this report outlines the regionally significant issues identified and the process of identification. Section 3 outlines the appropriateness of each objective in accordance with the purpose of the RMA.

The remaining sections then evaluate the most appropriate policy and method options to achieve each objective. When evaluating the policy and method options, the range of options available is outlined first, and then each option is evaluated. There are four types of options discussed in each instance. These are:

(a) Broad directives\ to district and/or regional plans

This is where a policy directs that a change is to be made to a district and/or regional plan and/or the Regional Land Transport Strategy. The method then sets out when this change is to be undertaken.

(b) Specific directives to resource consents, regional and district plans, and notices of requirement

This is where a policy sets out a series of matters that are to be given “particular regard” when making resource management decisions. The method sets out when these matters are to be considered. This may include resource consent decisions, decisions on notices of requirements or when making decisions about changes to district or regional plans.

(c) Guiding policies and methods

This is where a policy and a method (or methods) outlines the non-regulatory actions that need to be put in place. These include:

- Information and guidance
- Integrating management
- Identification and investigation

(d) Doing Nothing

This will occur where no intervention, either regulatory or non-regulatory will occur.

Determining the most appropriate policies and methods is based on an assessment of the effectiveness and efficiency of the policy and method options, and the risks of acting or not acting when there is uncertain or insufficient information.

Effectiveness is a measure of how much influence a resource management intervention has or how successful it is in addressing the issues, in terms of achieving the desired environmental outcome. Effectiveness is a cumulative value, derived from the range of types and scope of influences or impacts of an intervention, towards achieving intended results and environmental outcomes. The effectiveness of an option is not able to be assessed as an absolute value. Rather, options are appraised as to whether they exhibit the qualities which contribute to ‘effectiveness’ and to what degree, and a determination is made as to the cumulative effect of the pertinent attributes in terms of high, medium or low “effectiveness”.

When evaluating the *efficiency* of the policy and method options both the benefits (social, economic and environmental) and costs (social, economic and environmental) are outlined. Each option is then deemed to be either efficient or inefficient. The following diagram outlines how this assessment is undertaken.

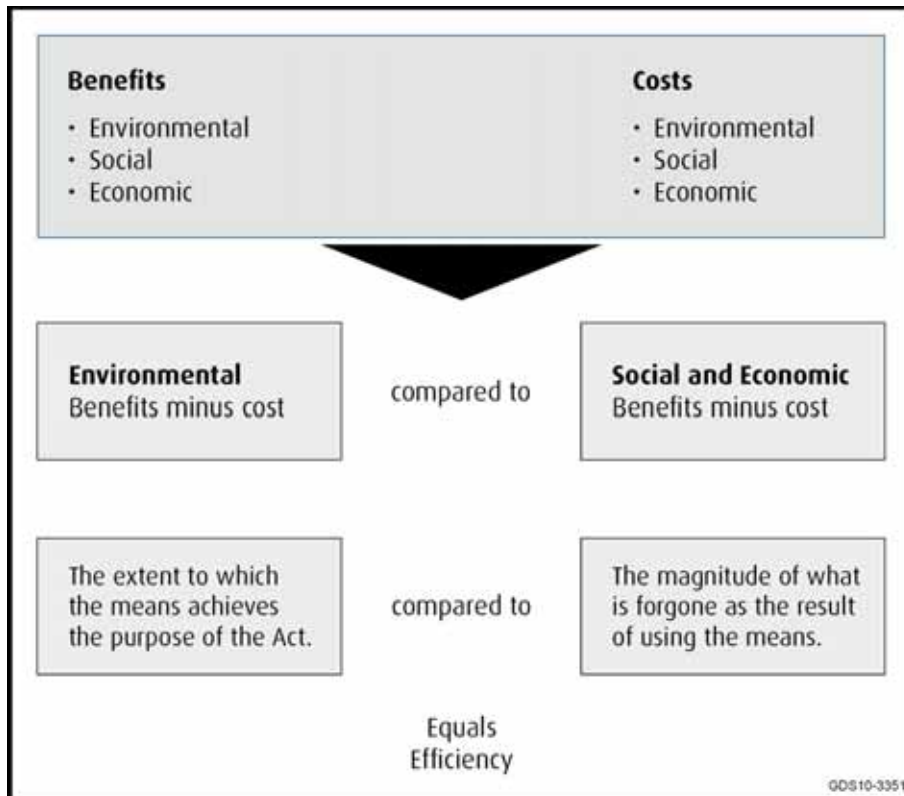


Figure 1 Deriving efficiency from benefits and costs

The evaluation of 'efficiency' will result in either a positive or negative result in terms of efficiency. Alternatively, if efficiency is expressed as a cost/benefit ratio, it will be either greater than or less than 1. In the event the ratio is considered to be less than 1, the option can be considered efficient, in that the sum of the benefits outweigh the sum of the costs. In the event the ratio is deemed to be greater than 1, the option can be considered to be inefficient, in that the sum of the costs outweigh the sum of the benefits. It is important to note that in this evaluation of 'efficiency', absolute values for each of the variables considered pertinent (i.e. identified as either a cost or a benefit within the evaluation of the options) are not available. Rather, the analysis has endeavoured to present an accurate appraisal of the relative costs and benefits between the options, in order to determine which are efficient and which are not. A simple yes or no is used to differentiate the options as efficient or inefficient.

It is reasonable to assume that the evaluation of the benefits and the costs should be appropriate to the circumstances¹. The Environment Court in Wakatipu Environmental Society Inc v Queenstown Lakes District Council (180/99) noted in accepting an absence of rigorous cost benefit analysis the Court: "...where there are matters of national importance [such as landscape] the need for analysis is greatly reduced."

That decision in no way obviates the need for reasonable analysis in this case. However, it does indicate that the Court accepts that the relationship of the issues in question to matters of national importance is relevant to the level of analysis that is "appropriate to the circumstances".

¹ Prior to the 2003 amendment to the Act, Section 32 made this explicit. Although this point is omitted from the new wording, it is considered reasonable to assume that the point remains valid in terms of planning practice.

2 Regionally significant issues

As part of the Operative Bay of Plenty RPS review process, the existing resource management issues of significance were evaluated and reviewed using:

- Bay Trends - Report on the state of the Bay of Plenty environment (2004)
- Written comments received on the Draft Regional Policy Statement
- Written comments received on the Next Bay of Plenty Regional Policy Statement: Issues and Options discussion document (2008)
- Monitoring and Evaluation of the Operative Bay of Plenty Regional Policy Statement report (2008)
- Ongoing consultation with iwi, hapu, stakeholder and community groups and the region's territorial authorities during the review of the Operative RPS, consultation on the Next Bay of Plenty Regional Policy Statement Issues and Options (2008) discussion document and during the preparation and following the release of the Draft Bay of Plenty Regional Policy Statement.
- Criteria used to determine regionally significant resource management issues (refer *Appendix 1* for a copy of the criteria)

The resulting issues recommended for inclusion in the proposed Regional Policy Statement on matters of national importance are:

Issue 1 Damage and destruction of special cultural sites

Waahi tapu, sites of traditional cultural activities and other ancestral sites and taonga with which Maori have a special relationship continue to be damaged or destroyed by land use and development activities.

Issue 2 Inadequate protection and recognition of matters of national importance

Places or areas warranting recognition and/or protection as matters of national importance are still being degraded and lost through inappropriate subdivision, use and development.

Issue 3 Risks to special areas in private ownership

Many sites and areas warranting recognition and/or protection as matters of national importance are in private ownership, making them vulnerable to pressures of development, and placing the responsibility and cost for protection and management on landowners. A lack of awareness about the significance and management of these areas increases the risk to these places.

Issue 3 Difficulties identifying and measuring cumulative degradation to matters of national importance

Matters of national importance continue to be degraded, often as a result of the cumulative effects of development and land use changes. These cumulative effects are often not recognised and are hard to identify and measure.

Issue 4 Effects of growth and development pressures on access to the coast, lakes and rivers and ancestral sites

Growth, development and increased population pressures can lead to a loss of access to the coast, lakes and rivers, and undermine tangata whenua access to their ancestral lands and water for traditional cultural practices.

3 Extent to which the objectives are the most appropriate

To proposed Matters of National Importance objectives are:

- Objective 18: The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development.
- Objective 19: The preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems, having particular regard to intrinsic values of ecosystems.
- Objective 20: The maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems
- Objective 21: Recognition of and provision for the relationship of papakāinga and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- Objective 22: The coastal marine area, lakes and rivers are generally accessible to the public.

To follow is an outline of the extent to which the Matters of National Importance objectives are the most appropriate way to achieve the purpose of the Resource Management Act 1991.

3.1 Objective 18:

The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development.

- Objective 18 is the most appropriate way to achieve the purpose of the RMA for the following reasons:

Objective 18 addresses all the Matters of National Importance regionally significant resource management issues to varying extents. The most relevant issues are:

Waahi tapu, sites of traditional cultural activities and other ancestral sites and taonga with which Maori have a special relationship continue to be damaged or destroyed by land use and development activities.

Places or areas warranting recognition and/or protection as matters of national importance are still being degraded and lost through inappropriate subdivision, use and development.

Many sites and areas warranting recognition and/or protection as matters of national importance are in private ownership, making them vulnerable to pressures of development, and placing the responsibility and cost for protection and management on landowners. A lack of awareness about the significance and management of these areas increases the risk to these places.

This is likely to be a result of the region's historic heritage and outstanding natural features and landscapes not being thoroughly identified. In order to develop protection mechanisms, the stock of historic heritage resources and outstanding natural features and landscapes must be identified so that appropriate policy responses can be developed in consultation with communities. This will allow each community to better differentiate how best to protect the variety of natural and cultural heritage resources within their districts.

- The Monitoring and Evaluation of the Operative Bay of Plenty Regional Policy Statement report (2008) identified that the quality of information about many historic heritage sites and outstanding natural features and landscapes within the region is generally poor and many such places or areas have been or are at risk of damage, destruction or modification.
- Monitoring of the operative Bay of Plenty Regional Policy Statement showed that while some historic heritage resources and outstanding natural features and landscapes have been recognised in district plans, such places were not necessarily protected from inappropriate subdivision, use or development. Some risks associated with inappropriate subdivision, use or development stem from activities permitted by plans.
- Regional Council considers the risk to historic heritage and outstanding natural features and landscapes is a regionally significant issue and consequently any adverse effects on these resources may be of regional significance.
- Objective 18 mirrors objective 15.3.1(a) in the Operative Bay of Plenty Regional Policy Statement which only recently became operative on 26 June 2008 through the resolution of appeals to Change No. 1 (Criteria). There have been neither amendments to the Act nor changes to the regional situation in the interim to suggest the objective is no longer relevant or necessary to promote the achievement of the purpose of the Act.
- It recognises and effectively addresses Part II responsibilities as required by the stated functions of regional council.
- Objective 18 meets Part II of the Resource Management Act by seeking to sustainably manage historic heritage and outstanding natural features and landscapes, a limited natural and physical resource. The purpose of the Act recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing, health and safety while also sustaining natural and physical resources, safeguarding life supporting capacity and avoiding, remedying and mitigating adverse effects on the environment.
- Under the Act, the Bay of Plenty Regional Council is required to recognise and provide for the following as a matters of national importance:
 - 6(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.*
 - 6(f) The protection of historic heritage from inappropriate subdivision, use, and development*

In accordance with section 12(1)(g), within the coastal marine area it is not permitted to

Destroy damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on historic heritage...unless expressly allowed [by a rule in a regional coastal plan and in any relevant proposed regional coastal plan] or a resource consent.

Historic heritage is defined in Section 2 to mean

(a) *those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:*

- (i) *archaeological:*
- (ii) *architectural:*
- (iii) *cultural:*
- (iv) *historic:*
- (v) *scientific:*
- (vi) *technological; and*

(b) *includes—*

- (i) *historic sites, structures, places, and areas; and*
- (ii) *archaeological sites; and*
- (iii) *sites of significance to Maori, including wahi tapu; and*
- (iv) *surroundings associated with the natural and physical resources.*

- Relevant sub sections to Section 30 “Function of regional councils” for the objective include:

30(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.

30(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.

30(1)(gb) the strategic integration of infrastructure with land use through objectives, policies and methods.

- The following policies of the New Zealand Coastal Policy Statement 1994 are relevant to Objective 18:

1.1.3 - It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment: ...

(a) *characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and*

(b) *significant places or areas of historic or cultural significance.*

3.1.2 - Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are important to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection.

On this basis of the above, objective 18 is the most appropriate for achieving the purpose of the Act.

3.2 Objective 19

Objective 19: The preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems, having particular regard to intrinsic values of ecosystems.

Objective 19 is the most appropriate way to achieve the purpose of the RMA for the following reasons:

- Objective 19 addresses all the Matters of National Importance regionally significant resource management issues to varying extents. The most relevant issues are:

Places or areas warranting recognition and/or protection as matters of national importance are still being degraded and lost through inappropriate subdivision, use and development.

Many sites and areas warranting recognition and/or protection as matters of national importance are in private ownership, making them vulnerable to pressures of development, and placing the responsibility and cost for protection and management on landowners. A lack of awareness about the significance and management of these areas increases the risk to these places.

- Objective 19 mirrors objective 16.3.1(a) in the Operative Bay of Plenty Regional Policy Statement which only recently became operative on 26 June 2008 through the resolution of appeals to Change No. 1 (Criteria). There have been no amendments to the Act nor changes to the regional situation in the interim to suggest the objective is no longer relevant or necessary to promote the achievement of the purpose of the Act.
- The Monitoring and Evaluation of the Operative Bay of Plenty Regional Policy Statement report (2008) showed the objective remains relevant to addressing the above identified resource management issues, and that more directive policies are necessary. While a considerable number of projects have been undertaken to promote the preservation of the region's natural character and protection of significant indigenous habitats and ecosystems, and the implementation of the suite of supporting policies and methods is assessed as being implemented to a high level, overall objective 16.3.1(a) is not considered as being achieved.

Indigenous vegetation and other ecological patterns are only part of the concept of natural character in section 6(c). Section 6(c) covers the entire region (including the CMA) whereas section 6(a) covers the coastal environment, wetlands, lakes, rivers and their margins where the presence of water is a prominent component. Natural character equally concerns physical landform and landscapes uncluttered by structures and obvious human influence.

No comprehensive region wide studies have been undertaken to ascertain the overall state of natural character in the Bay of Plenty. Without benchmark and comparative data within the last ten years, making an accurate assessment of the achievement of objective 16.3.1(a) is difficult. Never the less certain terrestrial indigenous biodiversity components have been assessed which provide some guidance towards the achievement of objective 16.3.1(a).

- It recognises and effectively addresses Part II responsibilities as required by the stated functions of regional council.

- Objective 19 meets Part II of the Act by seeking to sustainably manage and landscapes, a limited natural and physical resource. The purpose of the Act recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing, health and safety while also sustaining natural and physical resources, safeguarding life supporting capacity and avoiding, remedying and mitigating adverse effects on the environment.
- Under the Act, the Bay of Plenty Regional Council is required to recognise and provide for the following as a matters of national importance:

6(b) – The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

6(f) – The protection of historic heritage from inappropriate subdivision, use, and development

6(f) – The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

And for the following matters, to have particular regard to:

7(d) intrinsic values of ecosystems

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

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

It recognises and effectively addresses Part II responsibilities as required by the stated functions of regional council. Relevant sub sections to Section 30 “Function of regional councils” for the objective include:

30(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.

30(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.

30(1)(c)(iia) The maintenance and enhancement of ecosystems in water bodies and coastal water.

30(1)(ga) The establishment, implementation, and review of objectives, policies and methods for maintaining indigenous biological diversity.

- The following policies of the New Zealand Coastal Policy Statement 1994 are relevant to Objective 19:

1.1.3 - It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment: ...

(a) *characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and*

(b) *significant places or areas of historic or cultural significance.*

3.1.2 - Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are important to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection.

On this basis of the above, objective 19 is the most appropriate for achieving the purpose of the Act.

3.3 Objective 20

Objective 20: The maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems

Objective 20 is the most appropriate way to achieve the purpose of the Act for the following reasons:

- Objective 20 addresses all the Matters of National Importance regionally significant resource management issues to varying extents. The most relevant issues are:

Places or areas warranting recognition and/or protection as matters of national importance are still being degraded and lost through inappropriate subdivision, use and development.

Many sites and areas warranting recognition and/or protection as matters of national importance are in private ownership, making them vulnerable to pressures of development, and placing the responsibility and cost for protection and management on landowners. A lack of awareness about the significance and management of these areas increases the risk to these places.

Matters of national importance continue to be degraded, often as a result of the cumulative effects of development and land use changes. These cumulative effects are often not recognised and are hard to identify and measure.

- Regional Council considers the risks to natural communities and habitats of significant indigenous flora, fauna and ecosystems is a regionally significant issue and consequently any adverse effects on these resources may be of regional significance.
- Objective 20 refines and enhances objective 16.3.2(a) in the Operative Bay of Plenty Regional Policy Statement which states: *The restoration or rehabilitation of natural communities and habitats in order to increase the survival probabilities of significant indigenous flora, fauna and ecosystems.* There have been no amendments to the Act nor changes to the regional situation in the interim to suggest the objective is no longer relevant or necessary to promote the achievement of the purpose of the Act.
- Bay of Plenty Regional Council continues to undertake a wide range of activities, commits considerable resources into activities and projects, which contribute to restoring and rehabilitating natural communities and habitats. Relevant methods include financial support for projects and to individual, education campaigns, pest control activities, research, advocacy, supporting care and community groups, and consent requirements.

A range of ecological based programmes/projects are contributing to the rehabilitation and restoration of natural communities and habitats across the region. Bay of Plenty Regional Council uses a variety of proactive measures to restore and rehabilitate natural communities and habitats on Council owned land and private land by working in collaboration with individual landowners, iwi, hapu and community groups across a range of environments. Bay of Plenty Regional Council also works in collaboration with other government agencies on relevant projects (e.g. kiwi recovery in conjunction with Department of Conservation in Ohope Scenic Reserve). For some natural communities and habitats in certain parts of the region, the situation is better than for others.

- Objective 20 meets Part II of the Act by seeking to sustainably manage natural communities and habitats of significant indigenous fauna, flora and ecosystems, a limited natural and physical resource. The purpose of the Act recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing, health and safety while also sustaining natural and physical resources, safeguarding life supporting capacity and avoiding, remedying and mitigating adverse effects on the environment.
- Under the Act, the Bay of Plenty Regional Council is required to recognise and provide for the following as a matter of national importance:
 - 6(f) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*
 And for the following matters, to have particular regard to:
 - 7(d) intrinsic values of ecosystems*
 - 7(f) the maintenance and enhancement of the quality of the environment.*
 - 7(g) any finite characteristics of natural and physical resources.*
- It recognises and effectively addresses Part II responsibilities as required by the stated functions of regional council. Relevant sub sections to Section 30 “Function of regional councils” for the objective include:
 - 30(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.*
 - 30(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.*
 - 30(1)(c)(iiiia) The maintenance and enhancement of ecosystems in water bodies and coastal water.*
 - 30(1)(ga) The establishment, implementation, and review of objectives, policies and methods for maintaining indigenous biological diversity.*
 On this basis of the above, objective 20 is the most appropriate for achieving the purpose of the Act.

3.4 Objective 21

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

Objective 21 is the most appropriate way to achieve the purpose of the Act for the following reasons:

- Objective 21 addresses all the Matters of National Importance regionally significant resource management issues to varying extents. The most relevant issues are:
 - Waahi tapu, sites of traditional cultural activities and other ancestral sites and taonga with which Maori have a special relationship continue to be damaged or destroyed by land use and development activities.*
 - Places or areas warranting recognition and/or protection as matters of national importance are still being degraded and lost through inappropriate subdivision, use and development.*

Many sites and areas warranting recognition and/or protection as matters of national importance are in private ownership, making them vulnerable to pressures of development, and placing the responsibility and cost for protection and management on landowners. A lack of awareness about the significance and management of these areas increases the risk to these places.

- Consultation undertaken during the preparation of the Monitoring and Evaluation of the Operative Bay of Plenty Regional Policy Statement report (2008) and an evaluation of the 23 iwi resource management planning documents lodged with Bay of Plenty Regional Council (in November 2009) verified that relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga remains a significant resource management issue for iwi and hapu in the region.
- Many iwi and hapu representatives consulted during consultation during both the monitoring of the operative Bay of Plenty Regional Policy Statement and the preparation of the Proposed RPS expressed strong desire to see greater recognition of their culture and traditions when weighted against competing environmental, social and economic interests during resource management decision making processes.
- Regional Council considers the risks to Maori culture and traditions are a regionally significant issue and consequently any adverse effects on their relationship may be of regional significance.

Objective 21 mirrors objective 5.3.2(a) in the Operative Bay of Plenty Regional Policy Statement which was also part of Change No. 1 (Criteria) which only became operative on 26 June 2008. There have been no amendments to the Act nor changes to the regional situation in the interim to suggest the objective is no longer relevant or necessary to promote the achievement of the purpose of the Act.

- It recognises and effectively addresses Part II responsibilities as required by the stated functions of regional council.
- Under the Act, the Bay of Plenty Regional Council is required to recognise and provide for the following as a matters of national importance:

6(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

6(f) The protection of historic heritage from inappropriate subdivision, use, and development

6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga

- Relevant sub sections to Section 30 “Function of regional councils” for the objective include:

30(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.

30(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.

- The following policies of the New Zealand Coastal Policy Statement 1994 are relevant to Objective 21:

1.1.3 - It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment: ...

- characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and
- significant places or areas of historic or cultural significance.

3.1.2 - Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are important to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection.

On this basis of the above, objective 21 is the most appropriate for achieving the purpose of the Act.

3.5 Objective 22

Objective 22: The coastal marine area, lakes and rivers are generally accessible to the public.

Objective 22 is the most appropriate way to achieve the purpose of the RMA for the following reasons:

- Objective 22 addresses Matters of National Importance regionally significant resource management issue 5 by ensuring the coastal marine area, lakes and rivers are generally accessible to the public.
- Objective 22 is necessary to help promote the sustainable management of water resources in a manner which enables people to provide for their social and cultural wellbeing.
- Objective 22 meets Part II of the Act by providing for social and cultural wellbeing by recognising section 6(d) being:

6(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.

- The Monitoring and Evaluation of the Operative Bay of Plenty Regional Policy Statement report (2008) identified that the quality of information about changes in the extent of public access to and along the region's rivers, lakes and coastal marine area is generally poor and some places or areas have been actively restricted.
- Objective 22 refines objective 9.3.3(a) in the Operative Bay of Plenty Regional Policy Statement being: *The coastal marine area is generally accessible to members of the public.* Objective 22 expands the scope to address public access to and along rivers and lakes in addition to the coastal marine area. This change addresses a gap identified with the Operative RPS.
- It recognises and effectively addresses Part II responsibilities as required by the stated functions of regional council.
- Relevant sub sections to Section 30 "Function of regional councils" for the objective include:

30(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.

30(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.

30(1)(d)(vii) in respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of activities in relation to the surface of water.

On this basis of the above, objective 22 is the most appropriate for achieving the purpose of the Act.

3.6 Analysis of which are the most appropriate objectives

Final chosen objective	Other alternatives?	Why <u>not</u> the most appropriate to achieve the Resource Management Act
<p>Objective 18</p> <p>The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development</p>	<p>Alternative 1. Revert to the objective in the original operative Bay of Plenty Regional Policy Statement (prior to Change No. 1 (Criteria)) being: The protection of heritage values and places from inappropriate subdivision, use and development.</p> <p>Alternative 2. No further loss of historic heritage and outstanding natural features and landscapes.</p> <p>Alternative 3. To maintain and enhance historic heritage and outstanding natural features and landscapes.</p> <p>Alternative 4. Limit the objective to address either section 6(a) or section 6(f) matters only.</p> <p>Alternative 5: No objective about the protection of historic heritage and outstanding natural features and landscapes</p>	<p>Alternative 1 is not the most appropriate as the resource Management Act 1991 was amended to recognise and provide for historic heritage as a section 6 matter of national importance with the same protection status as outstanding natural features and landscapes in section 6(b). The original operative RPS heritage objective reflected previous amended section 7 which required particular regard be had to heritage values and places. That objective was amended through the process of Change No. 1 (Criteria) resulting in the proposed objective specifically addressing section 6(b) and 6(f) matters only. These matters have been through the Environment Court process and there have been no subsequent amendments to the Act requiring further refinements to this component of the regional policy framework. All other section 6 matters are addressed by objectives 19 – 22.</p> <p>Alternative 2 is not the most appropriate as there is no baseline data as a basis for “further”, and “loss” can mean many things.</p> <p>Alternative 3 is not the most appropriate objective as it is likely to be interpreted as going beyond the mandate provided in the Section 6 requirement to “protect historic heritage” and therefore, such an objective would be contested. It is possible that ‘maintenance’ and/or ‘enhancement’ are considered appropriate management responses in some circumstances, depending on the criteria yet to be developed in further formulating the most appropriate resource management response, through regional and district plans.</p> <p>Alternative 4: The Regional Policy Statement can contribute in a resource management context and address matters of national importance resource management issues. The matters of national importance resource management issues are assessed as being of regional significance. Alternative 4 therefore would miss out on using the available mechanisms through the Resource Management Act.</p>

Final chosen objective	Other alternatives?	Why <u>not</u> the most appropriate to achieve the Resource Management Act
<p>Objective 19</p> <p>The preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems, having particular regard to intrinsic values of ecosystems</p>	<p>Alternative 1. No objective in regional policy statement on preserving natural character and the protection of significant indigenous habitats and ecosystems.</p> <p>Alternative 2: Limit the objective to address natural character only.</p>	<p>Alternative 1 is not the most appropriate option as the regional policy statement would not play a role in providing direction on preserving natural character and protecting significant indigenous habitats and ecosystems.</p> <p>Alternative 2 is not the most appropriate option as this objective was assessed as part of the review of the operative Regional Policy Statement and the protection of significant indigenous habitats and ecosystems is identified as a considerable component of natural character in the region, requiring specific recognition and provision for.</p>
<p>Objective 20</p> <p>The maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems</p>	<p>Alternative 1. No objective in regional policy statement on indigenous biodiversity. Management objectives left to individual city and district councils.</p> <p>Alternative 2. Retain the wording of objective 16.3.2(a) in the existing 1999 Operative Regional Policy Statement which seek <i>The restoration or rehabilitation of natural communities and habitats in order to increase the survival probabilities of significant indigenous flora, fauna and ecosystems.</i></p> <p>Alternative 3. Include an objective that seeks the protection and enhancement of <u>all</u> indigenous ecosystems in the region</p> <p>Alternative 4. Identify and protect ecosystems and habitats with significant biodiversity value</p>	<p>Alternative 1 is not the most appropriate option as the regional policy statement would not play a role in providing direction on promoting the maintenance, restoration and enhancement of indigenous flora, fauna and ecosystems.</p> <p>Alternative 2 is not the most appropriate option as this objective was assessed as part of the review of the operative Regional Policy Statement to be less effective and efficient and less achievable.</p> <p>Alternative 3 is not the most appropriate option as Section 6(c) of the Resource Management Act requires provision for the “protection of areas of significant indigenous vegetation significant habitats of indigenous fauna”.</p> <p>Alternative 4 includes matters which are better dealt with as policy responses to achieve the preferred objective. Identification and protection are able to be treated as a subset of the means (responses) possible in seeking to maintain and enhance ecosystems and habitats.</p>
<p>Objective 21</p> <p>Recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other Tonga.</p>	<p>Alternative 1. No objective in the Regional Policy Statement to address Maori culture and traditions in resource management decision making.</p>	<p>Alternative 1: There would be no regional direction as to how involvement for the region’s iwi authorities should be improved consistent across the region. Section 6(a) of the Resource Management Act 1991 would not be met.</p>

Final chosen objective	Other alternatives?	Why <u>not</u> the most appropriate to achieve the Resource Management Act
<p>Objective 22</p> <p>The coastal marine area, lakes and rivers are generally accessible to the public.</p>	<p>Alternative 1. Retain the existing objective in the operative Bay of Plenty Regional Policy Statement for access to the coast but excludes access to lakes and rivers</p> <p>Alternative 2. No objective on public access. City and district councils could decide at their discretion whether to develop public access provisions.</p> <p>Alternative 3. An objective which states that Bay of Plenty Regional Council would actively seek to enhance better public access by encouraging city and district councils and land owners to provide access to waterways where there is an identified demand for that access.</p> <p>Alternative 4: An objective that specifies that priority be given to acquiring public access to areas that have high public access values.</p>	<p>Alternative 1: Not the most appropriate as the regional policy statement would be limiting its potential to influence public access to lakes and rivers.</p> <p>Alternative 2: Not the most appropriate as the Regional Policy Statement would not play a role in providing regional direction on promoting public access and recreational opportunities associated with the region's coast, lakes and rivers.</p> <p>Alternative 3: Not the most appropriate. It is undesirable to rely on councils and the goodwill of landowners to take the lead in ensuring that public has fair and reasonable access to and along water ways.</p> <p>Alternative 4: Requires an assessment as to where "high" public access values are located and how best to access these places, independent of activity associated with use and development or and potentially other policies relevant to these 'significant' values. And, it would necessitate an exercise to prioritise enhancing access. Such an objective would not promote an ability to maximise the opportunities to enhance access, as these arise, including areas with high values. Therefore, alternative 4 is not the most appropriate.</p>

4 Evaluation of policies and methods to achieve Objective 18

The appropriateness of the policies and methods to achieve Objective 18 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

4.1 Range of policy and method options considered

4.1.1 Objective 18 addresses the protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development.

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

This assessment of policy options to achieve Objective 18 over and above the alternatives assessed in relation to and presented within the section 32 reports relating to the Coastal Environment, Geothermal Resources, Iwi Resource Management, Urban Form and Growth Management. This evaluation should therefore be considered in conjunction with those other section 32 reports as they contain further information pertinent to addressing the regionally significant resource management issues concerning historic heritage and outstanding natural features and landscapes.

4.1.2 Broad direction to district and/or regional plans

Option 1 Direct plans to identify and protect historic heritage and outstanding natural features and landscapes including the use of specific criteria for assessing values and relationships in regard to those section 6(b) and 6(f) matters of national importance

This option requires regional and district plans to (1) identify (using specific criteria) and protect historic heritage and outstanding natural features and landscapes and (2) use specific criteria for assessing each matter of national importance (i.e. natural features and landscapes and historic heritage) when determining the extent to which decision makers must recognise and provide for each of the specified section 6 matters of national importance.

4.1.3 Specific direction on matters to be given particular regard to, in resource management decision making

Option 2 Give priority to matters of national importance

This option requires resource management decision making processes (i.e. plans and resource consents) to afford priority for the protection of historic heritage and natural features and landscapes assessed, using consistent criteria, as warranting recognition and provision for as a matter of national importance.

Option 3 Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act

This option requires resource management decision making processes (i.e. plans and resource consents) to use specific criteria for assessing each matter of national importance when determining the extent to which decision makers must recognise and provide for each of the specified section 6 matters of national importance.

Option 4 Using criteria to assess appropriateness of development

This option requires resource management decision making processes (i.e. plans and resource consents) to assess, using specific criteria, whether subdivision, use and development is inappropriate with regard to matters of national importance (i.e. natural character, outstanding natural features and landscapes, significant indigenous vegetation and habitats of indigenous fauna, public access, Maori culture and traditions, and historic heritage) considered to warrant protection under section 6 of the Act.

Option 5 Managing effects of subdivision, use and development

This option requires resource management decision making processes (i.e. plans and resource consents) to avoid, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with option 3 above as warranting protection under section 6 of the Act.

Option 6 Recognising matters of significance to Maori

This option requires resource management decision making processes (i.e. plans and resource consents) to recognise and provide for specific matters of significance to Maori including:

- traditional Maori uses and practices relating to natural and physical resources such as mashing mātaītai, waahi tapu, papakainga and taonga raranga.
- the role of tangata whenua as kaitiaki of their resource.
- the manawhenua relationship of tangata whenua with, and their role of kaitiaki of, characteristics of the natural environment.
- sites of cultural significance identified in iwi and hapu management plans.
- that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

4.1.4**Guidance options****Option 7 Taking an interagency approach to protection**

This option promotes greater interaction and collaboration among different agencies with various responsibilities for ecosystems, historic heritage and natural character management to avoid resource duplication and maximise efficiency. Specific methods for implementing this policy include providing information about agency roles and responsibilities, preparing non regulatory landscape protection guidelines for the western Bay of Plenty sub-region to promote a reduction of adverse visual effects of development, and encouraging other agencies to protect key sites.

4.1.5 Do nothing

Option 8 No intervention

In this option, there is no intervention, either regulatory or non-regulatory, to protect historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development.

4.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 18

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Broad direction to district and/or regional plans					
<p>Option 1 Direct district and regional plans to identify and protect historic heritage and outstanding natural features and landscapes through the use of specific criteria in Appendix F of the RPS</p>	<p>Would provide certainty about where historic heritage and outstanding natural features and landscapes are within the region, and that they must be afforded protection from inappropriate subdivision, use and development.</p> <p>Seeks a consistent framework for development of policies, rules and methods pertaining to the identification and protection of the region’s historic heritage and outstanding natural features and landscapes.</p> <p>Effective in setting out criteria to be applied for assessments in plan change processes specific to historic heritage and outstanding natural features the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where historic heritage and outstanding natural features and landscapes policies apply and where they do not.</p> <p>Identification by District Plans would not be required until 2 years after the RPS become operative so effectiveness would be delayed.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p>	<p>High</p>	<p>It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective.</p> <p>Decisions about what historic heritage and outstanding natural features and landscapes to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>All relevant parties must work together to identify historic heritage and outstanding natural features and landscapes, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of historic heritage, natural features and landscape values.</p> <p>Establishes consistent criteria to assist local authorities with identifying outstanding natural features and landscapes and historic heritage.</p> <p>Provides information for the community, including tangata whenua, about what is to be considered when identifying outstanding natural features and landscapes and historic heritage.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. ▪ Substantial cost of interpreting the criteria and defining the effected land on planning maps. Process could be contentious. ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans would be required to implement the policy and therefore incur the costs. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>This policy option is effective because it assists in achieving objective 19 and a coordinated and integrated approach to the identification and protection of the region’s historic heritage and outstanding natural features and landscapes in a way consistent with the purpose of the RMA.</p>		<p>Clarification helps to expedite the process.</p> <p>Provides greater certainty for all interested parties.</p> <p>Reduces resources needed by applicants to evaluate effects of proposals on outstanding natural features and landscapes and historic heritage as the values would already be identified.</p> <p>Increases transparency about how outstanding natural features and landscapes and historic heritage are identified.</p> <p>Less conflict or debate over what factors to consider when determining the values of outstanding natural features and landscapes and historic heritage.</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Ecological, social and cultural benefits derived from the protection of historic heritage, outstanding natural features and landscapes and any indigenous flora and fauna contained within outstanding natural features and landscapes. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community’s quality of life, cultural values, sense of places, historical linkages and spiritual renewal. 	<ul style="list-style-type: none"> ▪ There are potential opportunity costs for affected landowners, developers or those undertaking activities, although these may be offset by opportunities associated with establishing clear and certain provisions within which to plan development in areas not affected. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites. 	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<ul style="list-style-type: none"> ▪ The regional and each district community agrees to the associated protection or restrictions through the plan making process. ▪ Provides some certainty for community & developers as to what historic heritage and outstanding natural features and landscapes are afforded protection through plan provisions however there is still potential for inconsistencies over interpretation of criteria between districts. 		
<p>Option 2 Direction via a schedule of landscapes and historic heritage within the Regional Policy Statement</p>	<p>Establishes a consistent policy framework region-wide and requires all relevant district and regional plans to schedule and protect the natural features and landscapes identified in the Regional Policy Statement from inappropriate subdivision, use and development.</p> <p>If fully implemented, this option would result in certainty about the location of outstanding natural features and landscapes, and significant amenity landscapes.</p> <p>Effective in identifying natural features and landscapes that cross local authority boundaries.</p> <p>The directive is easy to interpret and thus to implement, which limits the ability to contest or reinterpret which natural features and landscapes would be identified in a district or regional plan.</p>	<p>High</p>	<p>Provides information for the community about where historic heritage and outstanding natural features and landscapes are located. Such clarity would provide certainty for all interested parties, and help to expedite the statutory processes.</p> <p>Reduces resources needed by applicants to evaluate effects of proposals on historic heritage and outstanding natural features and landscapes as the regionally significant values would already be identified. However, applicants would still need to evaluate any effects on those value and measure proposed to avoid, remedy or mitigate any potential adverse effects.</p>	<p>Social and economic costs would be very high as Bay of Plenty Regional Council is not as well placed as the territorial authorities to engage with local communities about outstanding natural features and landscapes and historic heritage important to them. Potentially affected landowners may miss out on the process as they are unaware the schedule will place restrictions on their ability to develop areas of their titles affected by the RPS schedule.</p>	<p>No</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Specific direction on matters to be given particular regard to, in resource management decision making					
<p>Option 3 - P50 Give priority to matters of national importance</p>	<p>Would provide certainty that where historic heritage and outstanding natural features and landscapes have been identified and assessed as warranting recognition and provision for as matters of national importance that priority shall be had to protecting those areas, places, features and values.</p> <p>Promotes consistency in resource consents processes and a consistent regional and district plan framework for the development of consent conditions, policies, rules and methods pertaining to the region’s historic heritage and outstanding natural features and landscapes.</p> <p>Effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to historic heritage and outstanding natural features the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where historic heritage and outstanding natural features and landscapes policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p>	<p>High</p>	<p>This policy option promotes a coordinated and integrated approach to the protection and enhancement of historic heritage and outstanding natural features and landscapes within the region. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective. These benefits include:</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with historic heritage and outstanding natural features and landscapes in resource consents and plan change processes. ▪ Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions. ▪ Ecological, social and cultural benefits derived from the protection of indigenous flora and fauna contained within outstanding natural features and landscapes. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. ▪ Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps. Process could be contentious. ▪ Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified outstanding natural features and landscapes and historic heritage. Process could be contentious. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>This policy option is more effective than options 1 and 2 because it applies to resource consents in addition to plan change processes and assists in achieving objective 19 and a coordinated and integrated approach to the protection of the region's historic heritage and outstanding natural features and landscapes in a way consistent with the purpose of the RMA.</p>		<p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community's quality of life, cultural values, sense of places, historical linkages and spiritual renewal. ▪ The regional and each district community agrees to the associated protection or restrictions through the plan making process. ▪ Provides some certainty for community & developers as to what historic heritage and outstanding natural features and landscapes are to be afforded priority for protection through plan and resource consents provisions. 	<ul style="list-style-type: none"> ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans and resource consent applicants would be required to implement the policy and therefore incur the costs. ▪ There are potential opportunity costs for affected landowners, developers or those undertaking activities, although these may be offset by opportunities associated with establishing clear and certain provisions within which to plan development in areas not affected. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites. 	
<p>Option 4 – P52 Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act</p> <p>Using criteria consistent with those in Appendix F to assess values and relationships in regard to section 6 matters of national importance of the RMA.</p>	<p>This option is considered effective as it promotes consistency in resource consents and regional and district plan processes to support the identification and understanding the region's historic heritage and outstanding natural features and landscapes.</p>	<p>High</p>	<p>This policy option promotes the use of consistent criteria for assessing historic heritage and natural features and landscapes values in resource consents and plan change processes. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. Risk considered medium. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>This option is effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to historic heritage and outstanding natural features the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where historic heritage and outstanding natural features and landscapes policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is more effective than option works in tandem with option 2 and applies to resource consents and plan change processes and assists in achieving objective 19. This options assists in promoting a coordinated and integrated approach to the identification of the region's historic heritage and outstanding natural features and landscapes in a way consistent with the purpose of the RMA.</p>		<p>However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective. These benefits include:</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with historic heritage and outstanding natural features and landscapes in resource consents and plan change processes. ▪ Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions. ▪ Ecological, social and cultural benefits derived from the protection of indigenous flora and fauna contained within outstanding natural features and landscapes. 	<p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers, consent applicants and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. ▪ Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps and in resource consents processes. These processes could be contentious and protracted. ▪ Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified outstanding natural features and landscapes and historic heritage. Process could be contentious and protracted. 	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community’s quality of life, cultural values, sense of places, historical linkages and spiritual renewal. ▪ High probability there will remain regional and district community agreement to apply the heritage criteria during resource consents and plan making processes. ▪ Provides some certainty for community & developers as to what historic heritage and outstanding natural features and landscapes are to be afforded priority for protection through plan and resource consents provisions. 	<ul style="list-style-type: none"> ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans and resource consent applicants would be required to implement the policy by using experts to use and apply the criteria and therefore incur the costs. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about their relationship and values (e.g. associative) in relation to historic heritage sites and outstanding natural features and landscapes. 	
<p>Option 5 – p57 Using criteria to assess the appropriateness of development</p> <p>and using criteria consistent with those in appendix g to assess appropriateness of development with regard to natural features and landscapes and historic heritage considered to warrant recognition and provision for under section 6 of the RMA.</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to well informed and more consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent.</p>	<p>High</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent to considerations and what is not.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p> <p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p> <p>When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.</p>		<p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and the rationale as to how decisions were made will be available. This improves transparency in the process, which further helps inform and guide future proposals, and thus improves the ability to develop appropriate solutions or responses.</p> <p>Being able to identify the concerns and likely responses allows efforts to find solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop towards arresting the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion and innovation within the response to matters, on a case by case basis.</p>	<p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and/or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p> <p>Individual proposals or applications act as pilots or trials as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 6 – P58 Managing effects of subdivision, use and development</p>	<p>This policy option is considered effective as it requires specific direction that adverse effects on matters of national importance be avoided, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development. This option works in tandem with options 3 and 4, on matters of national importance.</p>	<p>High</p>	<p>A key benefit is there is little risk these recently operative Change No. 1 (Criteria) provisions to the RPS will be subject to successful challenge through the Environment Court as there have been no relevant amendments to the RMA which make them inconsistent.</p>	<p>The environmental, social, cultural and economic costs are essentially the same as those for options 2 and 3 above, as these policy options work in mutually together in order to achieve objective 19.</p>	<p>Yes</p>
	<p>Values and places assessed as warranting recognition and provision for as matters of national importance using criteria consistent with those in the Appendix F criteria shall be prioritised in order of firstly avoiding potential effects on them. If avoidance of potential adverse effects isn't achievable than effects should be remedied or mitigated. The criteria in Appendix F assist in identifying elements of the environment that may be so affected. An assessment is to be in such detail as corresponds with the scale and significance of the effects.</p> <p>Not all activities will affect matters of national importance, and applicants and decision makers will accordingly have to exercise judgement about what is necessary to include in the assessment of environmental effects.</p>		<p>The environmental, social, cultural and economic benefits are essentially the same as those for options 2 and 3 above, as these policy options work in mutually together in order to achieve objective 19.</p>		

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 7 Recognising matters of significance to Maori</p>	<p>Historic heritage includes sites of significance to Māori, including waahi tapu and surroundings associated with natural or physical resources. The policy option involves recognising that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, Waahi Tapu and other taonga. It also requires having special consideration to Māori culture and traditions where these are relevant to a particular proposal.</p> <p>This policy is effective, in that it streamlines and combines several existing Māori culture and traditions policies from the current operative RPS (i.e. policies 5.3.2(b)(i) – 5.3.2(b)(vi)) that together recognise the relationship of Māori and their culture and traditions with their ancestral land and sites, waahi tapu and other taonga which comprise historic heritage and outstanding natural features and landscapes in the region.</p> <p>All policies have received strong support from iwi and hapū across the region. This support has been communicated through consultation undertaken during the review of the operative RPS and the preparation and release of the Draft RPS. These policies recognise and provide for the special relationship Māori have with their historic heritage identified as an issue of resource management significance in almost all iwi and hapū resource management plans lodged with the regional council.</p>	High	<p>This policy option recognises and provides for a fundamental principle of the heritage criteria that when an assessment of Maori culture and traditions is required only Maori can assert their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. Option 6 recognises and provides for section 6(e), 7(a) and 8 matters.</p> <p>It is considered that there are Maori cultural benefits arising from this policy, as it guides resource management decision-making where an assessment of Maori culture and traditions is necessary in relation to historic heritage or outstanding natural features and landscapes. However, because the nature of Proposed Change No.1 is aimed principally at integrating administrative matters, the degree to which this policy can claim to give rise to such benefits are not considered to be significant.</p>	<p>It is difficult to assess, with certainty, the public and private compliance costs arising from this policy. There may costs associated with consulting Maori where an assessment of Maori culture and traditions is necessary in relation to historic heritage and outstanding natural features and landscapes (in plan change and resource consent processes). However, it is considered that this is a duty implicit in sections 6(e), 7(a) and 8 of the RMA and this policy merely clarifies this. In isolation this policy option is unlikely to result in any additional private compliance costs.</p>	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Implementing this policy option is considered effective as it demonstrates genuine consideration of iwi and hapū values and relationships with historic heritage regionally and their ongoing support for these provisions throughout the Proposed RPS policy development process.</p>				
Guidance options					
<p>Option 8 Taking an interagency approach to protection of historic heritage and outstanding natural features and landscapes</p>	<p>This policy option could be effective if all relevant agencies with various responsibilities for historic heritage and outstanding natural features and landscapes commit to this non regulatory action.</p> <p>There is no certainty these non-regulatory actions will be achieved and can be appropriately resourced.</p> <p>May not be effective in influencing private developments, as they largely rely on collaboration and cooperation.</p> <p>Some values, particularly ecological, geological and historic heritage values may extend across jurisdictional boundaries. Both sides of a particular value need protection, and this should be coordinated between relevant district and regional councils to be effective.</p>	<p>Medium</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Coordinated approaches to the protection of historic heritage and outstanding natural features and landscapes can generate greater community buy in and ongoing support, where effective. However, these processes often require various resourcing from management authorities long term commitments and therefore certainty are difficult to attain. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ Potential cost savings through efficiencies from shared use of resources. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Allows for flexibility of approach rather than imposing regulatory policies. Can increase awareness about the importance of historic heritage and outstanding natural features and landscapes. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Limited environmental costs associated with this non-regulatory policy option. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are organisational and resourcing costs to facilitate this package of non-regulatory policy options. Effort is required to establish landscape protection guidelines, coordinated efforts towards the protection of historic heritage and outstanding natural features and landscapes. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Potential for conflict and strained relations with other agencies, community and landowner groups if coordination efforts have different levels of cooperation, resourcing and energy input and lack of tangible results. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Do Nothing					
Option 9 No intervention	Unlikely to address issue for historic heritage and outstanding natural features and landscapes if there are no policies or methods in place to achieve the objective. This option would therefore not be effective. As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the RMA.	Low	Economic costs would be saved through not having to implement policies or methods. Local authorities are able to work with their communities to identify on a case-by-case basis what types of historic heritage resources and values are important, and what, if any, resource management intervention is required, without a predetermined regional policy direction.	It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Resource Management Act. Local authorities would have to formulate their own approach and response to the issue.	No

4.3 Results of evaluation as to the most appropriate policy and method options to achieve objective 18

Policy and method options	Factors contributing to effectiveness ²	Efficient?	Selected (most appropriate) option(s)(tick or cross)	Proposed policies and methods
Broad direction to district and/or regional plans				
Option 1 – Direct plans to identify and protect historic heritage and outstanding natural features and landscapes and use specific criteria for assessing values and relationships in regard to these places/areas	Med	Yes	X	N/A
Option 2 – Direction via a schedule of historic heritage and outstanding natural features and landscapes within the Regional Policy Statement	High	No	X	N/A
Specific direction on matters to be given particular regard to, in resource management decision making				
Option 3 – Give priority to matters of national importance	High	Yes	✓ <input type="checkbox"/>	Policy MN 1B and methods 3, 9, 10, 42, 55 and 56
Option 4 – Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act	High	Yes	✓	Policy MN 3B and method 3, 9, 10 and 42
Option 5 – Using criteria to assess appropriateness of development	High	Yes	✓	Policy MN 7B and methods 3 and 9
Option 6 – Managing effects of subdivision, use and development	High	Yes	✓	Policy MN 8B and 3 and 9
Option 7 - Recognising matters of significance to Maori	High	Yes	✓	Policy IW 2B and methods 3, 10 and 42
Guidance				
Option 8 – Taking an interagency approach to protection	Med	Yes	✓	Policy IR 9D and methods 29, 44 and 55
Do nothing				
Option 9 – No intervention	Low	No	X	N/A

4.4 Discussion on selected options

A mix of directive options, (to develop targeted policies directing district and regional plans and resource management decision making), and guidance options, (to provide information and otherwise support and assist in that work), is the most appropriate way to achieve objective 18 and address the matters of national importance regionally significant resource management issues.

² Effectiveness becomes the net value of an assessment of the relative difference between options in terms of their ability to influence or deliver intended outcomes.... The have great or widespread effect vs being of marginal or limited effect.

Options 1 and 3 are essentially the same, except Option 3 is considered more effective and efficient as it also includes application of the Appendix F sets 2 and 5 criteria in resource consents, heritage order or designation processes. Options 1 and 3 involve using a specified set of criteria for determining the values associated with historic heritage and natural features and landscapes. The environmental and social benefits of identifying the values associated with historic heritage and natural features and landscapes using a set of consistent criteria outweigh the economic costs of doing so. Identification of *all* historic heritage and outstanding natural features and landscapes is assessed as being less efficient, because the cost of identification and the level of community and tangata whenua engagement would be very high at a regional scale.

Option 2 to include a schedule of landscape sites in the regional policy statement, and require plans to protect these sites is not selected, even though it was determined to be highly effective, as it is considered inefficient in terms of the weighing of benefits and costs it delivers, particularly in comparison with the alternative options (which is to require option 3 in conjunction with options 4, 5, 6, 7 and 8). The identification of outstanding natural features and landscapes and historic heritage requires extensive consultation with tangata whenua, affected landowners and the wider community. It is considered more appropriate that local authorities work with communities at a district level to evaluate landscapes (using regionally defined criteria) and thence to develop appropriate mechanisms for the protection, maintenance and enhancement of identified historic heritage and natural features and landscape values.

The territorial authorities are better placed to undertake this consultation rather than the Bay of Plenty Regional Council alone. Particularly as district councils control subdivision and most land use development through their district plans. The social and economic costs would be less overall if the identification occurred at a local level.

Options 3 to 5 work in combination through requiring specified RPS criteria. Appendix F (policies 50 and 52 and method 3) than Appendix G (policy 57 and method 3) to be applied in order to identify what historic heritage and natural features and landscapes warrant recognition and provision for as matters of national importance, and then to assess whether the proposal is inappropriate or not. Other considerations occur in tandem including avoiding, remedying and mitigating potential adverse effects with emphasis placed on avoiding adverse effects (policy 58 and methods 3 and 6C)) and affording priority to the protection of those areas, places, features or values (policy 50 and method 3).

These policies direct district and regional plans and resource consent, heritage order and designation applications to afford priority to the protection of identified historic heritage and outstanding natural features and landscapes. All councils have some existing protection for historic heritage in their district plans. The regional council has rules for the protection of historic heritage and outstanding natural features and landscapes in the Regional Coastal Environment Plan. This option provides council with the direction necessary to improve protection for historic heritage. Option 4 is both efficient and effective, as the environmental and social benefits of protecting significant historic heritage and avoiding the destruction of unidentified archaeological sites and wahi tapu outweigh the economic and social costs of doing so.

Option 5 (policy 57 and method 3), requires specified criteria to be used when determining whether or not a proposed resource consent activity that may adversely affect historic heritage or an outstanding natural feature or landscape, if so, whether or not the activity is appropriate. This option will also provide that relevant matters will be considered when determining what changes are required for district and regional plans. The criteria contained in Appendix G were only recently made operative in June 2008. This option is assessed as highly effective and moderately efficient, as there could be significant costs involved with preparing and reviewing the information required for planning decisions.

Option 8 involves non-regulatory actions to achieve objective 19. These include policy 99: Taking an inter-agency approach to protection; method 26: Provide information about the roles of agencies and obligations; method 42: Prepare non-regulatory landscape protection guidelines – western Bay of Plenty sub-region; and method 53: Encourage other agencies to protect key sites. The combination of non-regulatory actions will help to promote objective 19. It is important that tangata whenua and the wider community be involved in the identification and protection of sites significant to them.

There are costs involved in the preparation and distribution of information to help interpret the criteria, as well as community and tangata whenua consultation. However, these costs are modest compared with the benefits.

The non-regulatory policy and supporting methods are not anticipated to act in isolation, as they are most effective when developed to support and supplement the implementation of the regulatory options 3, 4, 5, 6 and 7. Option 8 is also selected as it assists with the implementation of options 3, 4, 5, 6 and 7.

It is usual for the private compliance costs to be the most significant cost of public interventions. However, in this case the additional private compliance costs are considered to be low. Certainly there will be costs incurred by landowners and other resource users in complying with the policy options to use the Appendix F and Appendix G criteria in combinations with the relevant existing regulatory framework in place at the district, city and regional levels. However, this framework is largely in place. It is unlikely that the RPS criteria will lead to radical change in the existing regulatory framework (although it is now influencing current plan changes and pending reviews). That is not to say that these policy options will result in no additional private compliance costs but such costs are likely to be low, and difficult to distinguish from the costs that would have been incurred without these RPS criteria.

It is also usual in the evaluation of costs to identify potential environmental costs that might occur as an explicit or implicit trade-off, or as a result of perverse behaviour (i.e. where rules or regulations have the opposite effect to that intended). In this case, the risk of environmental costs is considered to be low. Although the policies seek to give priority to historic heritage and outstanding natural features and landscapes with values that strongly meet the RPS criteria, there is no presumption either implicit or explicit, that historic heritage or natural features and landscapes with less value is to be traded off.

There is also the theoretical possibility of accelerated heritage loss if landowners or resource users anticipate stricter performance standards arising from the use of the Appendix F and Appendix G criteria. However, this possibility is considered to be remote. Change No. 1 was originally publicly notified in May 2004, became operative in October 2008, and additional existing measures have been in place within operative and proposed regional and district plans to provide adequate safeguard against perverse behaviour.

Option 9 is to do nothing. There is a high risk of further degradation to historic heritage if no action is taken. This is not effective resource management. Nor could it be argued to be efficient, given the issue would continue unabated, and presumably would lead to increasingly unsustainable environmental outcomes, resulting in economic, social and environmental costs. The wellbeing of the community would not be supported. As the issue has been found to be regionally significant (refer to criteria in appendix 2), doing nothing would be a dereliction of function and duty under the Resource Management Act.

A mix of directive and guidance options, that includes options 3, 4, 5, 6, 7 and 8 (policies MN 1B, MN 3B, MN 7B, MN 8B, IW 2B, IR 9D and methods 3, 9, 10, 29, 42, 44, 55 and 56) in combination, are considered the most appropriate means to achieve objective 18 and to address the regionally significant resource management issues for matters of national importance.

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

Section 32(4)(b) of the Act requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies and methods.

It is fair to say there is both uncertain and insufficient information about historic heritage and outstanding natural features and landscapes and the values associated with them, and the loss that may be occurring because those values are not always recognised. It can be difficult to monitor historic heritage and outstanding natural features and landscapes because the values associated with it cannot be scientifically measured, and are sometimes not even identified prior to demolition, modification or change. This is particularly so for archaeological sites, which can be unwittingly destroyed before anyone realises it. There is evidence that historic heritage is being lost and outstanding natural features and landscapes degraded in value over time within the region.

The risk of acting in the way proposed is that costs will be imposed on local authorities and on resource consent applicants or property owners for potentially little gain in some instances.

The risk of not acting in the way proposed is the region's historic heritage and outstanding natural features and landscapes will be inconsistently identified and managed and continue to be degraded, destroyed and lost. This may mean that territorial authorities, iwi and hapū, communities and individuals are not always able to make choices about the use of resources informed by the knowledge of what may be lost. There may be irreversible and unrecognised loss to the region's historic heritage and outstanding natural features and landscapes of both regional and national importance.

The risk to the Bay of Plenty region of acting is considered much less than the risk of not acting.

5 Evaluation of policy and methods to achieve Objective 19

5.1 The range of policy and method options considered

The appropriateness of the policies and methods to achieve Objective 19 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

5.1.1 Range of policy and method options considered

Objective 19 addresses the preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems, having particular regard to intrinsic values of ecosystems

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

This assessment of policy options to achieve Objective 19 over and above the alternatives assessed in relation to and presented within the section 32 reports relating to the Coastal Environment, Geothermal Resources, Iwi Resource Management, Urban Form and Growth Management. This evaluation should therefore be considered in conjunction with those other section 32 reports as they contain further information pertinent to addressing the regionally significant resource management issues concerning the preservation of natural character and the protection of significant indigenous habitats and ecosystems.

5.1.2 Broad direction to district and/or regional plans

Option 1 Direct plans to identify and preserve natural character and significant indigenous habitats and ecosystems in the region

This option requires regional and district plans to identify (using specific criteria) and preserve natural character and significant indigenous habitats and ecosystems.

Option 2 Direction to plans to preserve the values of specified sites and areas

This option requires regional and district plans to protect particular values in specified sites and areas, as indicated within the regional policy statement (in a schedule), in order to protect significant values and preserve the natural character of the coastal environment.

Option 3 Direction to plans to describe values to be protected generically and not identify where they are

This option requires regional and district plans to protect particular values in order to protect these values and preserve the natural character of the region, but would not require the identification of where the specified values are located.

5.1.3 Specific direction on matters to be given particular regard to, in resource management decision making

Option 4 Direction to consider preserving specified values when making resource management decisions

This option requires local authorities to have particular regard to specified matters when making resource management decisions, in order to preserve significant values that contribute to the natural character of the coastal environment.

Option 5 Direction to consider preserving all values when making resource management decisions

This option requires local authorities to have particular regard to all values that contribute to the natural character of the coastal environment, when making resource management decisions, in order to preserve the natural character of the coastal environment.

Option 6 Give priority to matters of national importance

This option requires resource management decision making processes (i.e. plans and resource consents) to identify which historic heritage and natural features and landscapes should be afforded priority for protection.

Option 7 Considerations for the protections of indigenous habitats and ecosystems

This option links to option 6 above by requiring specified considerations in resource management decision making processes in respect to indigenous habitats and ecosystems identified as warranting recognition and provision for as matters of national importance.

Option 8 Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act

This option requires resource management decision making processes (i.e. plans and resource consents) to use specific criteria for assessing each matter of national importance when determining the extent to which decision makers must recognise and provide for each of the specified section 6 matters of national importance.

Option 9 Using criteria to assess appropriateness of development

This option requires resource management decision making processes (i.e. plans and resource consents) to assess, using specific criteria, whether subdivision, use and development is inappropriate with regard to matters of national importance (i.e. natural character, outstanding natural features and landscapes, significant indigenous vegetation and habitats of indigenous fauna, public access, Maori culture and traditions, and historic heritage) considered to warrant protection under section 6 of the Act.

Option 10 Managing effects of subdivision, use and development

This option requires resource management decision making processes (i.e. plans and resource consents) to avoid, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with option 3 above as warranting protection under section 6 of the Act.

5.1.4 Allocation of responsibilities option

Option 11 Allocating responsibilities for land use controls to maintain indigenous biodiversity

This option sets out the local authorities in the Bay of Plenty region responsible for specifying the objectives, policies and rules, including conditions of resource consent, for the control of the use of land to maintain indigenous biological diversity.

5.1.5 Do nothing

Option 12 No intervention

In this option, there is no intervention, either regulatory or non-regulatory, to promote the preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems, having particular regard to intrinsic values of ecosystems.

5.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 19

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Broad direction to district and/or regional plans					
<p>Option 1 Direct plans to identify and preserve natural character and significant indigenous habitats and ecosystems in the region</p>	<p>Sets out a clear direction for regulatory provisions, both in intent and in terms of the parameters considered relevant in further development of the planning framework.</p> <p>Establishes a consistent policy framework within which to develop regulatory provisions and/or actions within plans; requires all pertinent plans to promote certain policy and related actions (rules and/or methods); sets out specific principles to be applied.</p> <p>Consistency and clarity are promoted, providing greater certainty for individual applicants, community of interested parties, and for councils.</p> <p>Promotes a greater level of certainty for individual applicants, the community of interested parties, and for councils on the significant values associated with the coastal environment, to be preserved.</p> <p>Increases an ability to critique provisions and rationale/s within plan making processes, and increases understanding of relevant factors.</p> <p>Resource management/planning responses (the effects) are able to be attributed to specific prompts, triggers or conditions – adverse effects arising from particular activity/ies - (the causes) . The relationship between causes and effects within resource management activity are able to be explained and are observable.</p>	<p>High</p>	<p>Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the region for the region's coastal environment.</p> <p>All relevant parties are directed to work to achieve objective 3.</p> <p>When the regulatory intervention is able to reduce the influence of both known and 'unknown' quantities upon the resource management process.</p> <p>Predictability promotes more rapid, unimpeded and streamlined process, as resource management results or responses to specific triggers can be anticipated or are able to be predicted.</p> <p>The community assists in identifying where significant values are located (identification) and in developing the various specific protection mechanisms or restrictions through the plan making process. In doing so, all relevant parties must work to achieve the objective.</p> <p>Through the plan making process, public buy-in to the values, where they are located, and the restrictions deemed necessary for protecting them.</p>	<p>There are human and economic costs for councils and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate and thence to establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement..</p> <p>The costs do not need to be incurred until a plan is reviewed. Making changes at this time would reduce compliance costs.</p> <p>There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites.</p> <p>There are potential opportunity costs for affected landowners, although these may be offset by opportunities associated with the recognition and provision of significant values in association with property in the coastal environment.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>The directive is easy to interpret and thus to implement, which limits the ability to contest or re-interpret what it intends to achieve or how it intends to influence resource management activity.</p> <p>The effect of this option will depend on the timing of this provision being given effect through plans, so will be depend on the next plan reviews, as a way to limit costs of implementation. As that is the case, an interim provision will fill the gap, by requiring consideration of specified matters.</p> <p>Gives effect to NZCPS policies 1.1.2, 1.1.3, 3.1.2, 3.2.1 & 3.2.2</p>		<p>Increases clarity and certainty for all interested parties, as to where significant values lie and for resource management decision making</p> <p>The intervention will be far reaching, covering the whole coastal environment within the region.</p> <p>There will be observable activity to address the issue, and to identify and protect significant values associated with the coastal environment in particular places.</p> <p>Provides a consistent framework across the region, within which to evaluate the appropriateness of development in the coastal environment.</p> <p>Discourages ad-hoc development.</p> <p>The provision is applied district and region wide, and so less information is required for individual consent applications.</p> <p>Environmentally and economically efficient in avoiding the adverse effects upon particular significant values.</p>	<p>Potential generalised environmental costs as only the regionally significant values will be identified, and more extensive but lesser quality examples of the values may not be protected.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 2 – Direction to plans to preserve the values of specified sites and areas</p> <p>This option requires regional and district plans to protect particular values in specified sites and areas, as indicated within the regional policy statement (in a schedule), in order to protect significant values and preserve the natural character of the coastal environment.</p>	<p>Establishes a consistent policy framework within which to develop provisions in plans, in requiring pertinent plans to promote certain policies, rules and/or methods (as actions) across the region.</p> <p>Gives clear direction for future use and development, as to where not to go.</p> <p>However, the sites and areas able to be listed, depend on the quality of current information about those locations. Other locations may host similarly significant values, but are not widely known about for inclusion in the Bay of Plenty Regional Policy Statement. The policy would need to be continuously updated, as further information about other locations came to light.</p> <p>Gives effect to NZCPS policies 1.1.2, 1.1.3, 3.1.2, 3.2.1 & 3.2.2</p> <p>Changes to district & regional plans, would not need to be made until a plan is next reviewed, so the effect would be delayed.</p>	<p>Med</p>	<p>In leaving scope as to where development might be able to go, still necessitates information to determine if other locations not able to be included in the regional policy statement, which have similar values as the sites noted in the schedule.</p> <p>However, providing an ability or necessity to update the schedule adds not only to cost of maintaining the provision, but to uncertainty as to whether the schedule is in fact comprehensive and risks to other sites not included. It also calls into question the methodology for including sites in the schedule, as it acknowledges that there is insufficient and uncertain information within the region to be able to identify all possible sites for inclusion in the schedule.</p> <p>This option would clarify the values associated with those sites able to be included in a schedule, providing certainty in relation to their use and development.</p>	<p>There is currently insufficient and uncertain information pertinent to developing such a schedule of sites or areas within the next Bay of Plenty Regional Policy Statement</p> <p>There are human and economic costs for councils and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate and then establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement..</p> <p>The costs do not need to be incurred until a plan is reviewed. Making changes at this time would reduce compliance costs.</p> <p>There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites.</p> <p>There are potential opportunity costs for affected landowners, although these may be offset by opportunities associated with the recognition and provision of significant values in association with property in the coastal environment.</p> <p>Potential generalised environmental costs as only the regionally significant values will be identified, and more extensive but lesser quality examples of the</p>	<p>No</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 3 – Direction to plans to describe values to be protected generically and not identify where they are</p> <p>This option requires regional and district plans to protect particular values in order to protect these values and preserve the natural character of the region, but would not require the identification of where the specified values are located.</p>	<p>Requires district & regional plans to consistently promote certain actions, as they are required to “give effect to” the Regional Policy Statement.</p> <p>Changes to district & regional plans, however, would not need to be made until a plan is next reviewed, so the effect would be delayed.</p> <p>Establishes a consistent policy framework within which to develop regulatory provisions and/or action in plans, vis a vie requiring pertinent plans to promote certain policies, rules and/or methods (as actions) across the region, and sets out specific principles to be applied, while decision making would still be determined at the local level.</p> <p>Sets out a clear direction for regulatory provisions, both intent and in terms of the parameters considered relevant in further development of the planning framework.</p> <p>Provides protection generically and probably not as effective as requiring identification of where significant values are located. This option could allow for the inclusion of more values (e.g. recreation or scientific) because the option would not necessitate resource intensive identification investigations or mapping of locations of values. This option could include more diffuse values (e.g. cultural values).</p> <p>Lack of certainty because of lack of identification and mapping of values. Potential for inadvertent degradation of values through lack of knowing they are there or effects of activities on them.</p>	Low	<p>Increases clarity and certainty in terms of relevant aspects to be protected, but does not provide clarity or certainty as to where they might be located.</p> <p>The community assists in developing the various specific protection mechanisms or restrictions through the plan making process, but not in the identification of where each value is located.</p> <p>Through the plan making process, public buy-in to the values and the necessary restrictions for protecting them.</p> <p>Discourages ad-hoc development.</p> <p>Provides a consistent framework for assessing development across the region.</p> <p>Efficient because provision is applied district/region wide and less information is required for individual consent applications.</p> <p>Not as much clarity and certainty as to what the values are and where they are.</p> <p>Public buy-in to the values and the necessary restrictions for protecting them is easier to get as it less obvious who might be affected.</p> <p>Economically efficient as the values would have to be identified and effects on them addressed on a case by case basis, when development is proposed.</p>	<p>Less social cost for engaging the community on values in general but without specific sites or knowing what exactly they are.</p> <p>Opportunity cost for affected landowners only invoked when an actual proposal is made.</p> <p>No costs for identification and mapping.</p> <p>Unidentified values may be missed or inadvertently damaged by development resulting in potential environmental costs.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			Environmentally not very efficient because although legally protected, practical protection is less certain.		
Specific direction on matters to be given particular regard to, in resource management decision making					
<p>Option 4 – Direction to consider preserving specified values when making resource management decisions</p> <p>This option requires local authorities to have particular regard to specified matters when making resource management decisions, in order to preserve significant values that contribute to the natural character of the coastal environment.</p>	<p>Matters would be given “particular regard” when considering resource consents, plan changes, heritage protection orders and notices of requirement for designations.</p> <p>Particular regard however could only be given where “activity status” and/or “discretion” for a proposal relates to relevant topic.</p> <p>Provides interim direction prior to plan changes being made-.</p> <p>Would provide direction on how the region wants to see the region’s resources managed.</p> <p>Provides a consistent framework for assessing development across the region.</p> <p>Specific decision making would still be determined at the local level.</p> <p>Unlikely to be effective by itself when considering applications as matters are broad and generic.</p> <p>Effective as provides interim protection until protection is built into the plan.</p> <p>Effective as can include more values & considerations than those specifically identified in site mapping.</p> <p>Effective because considerations are for a particular proposal with specified effects on a specified site, rather than broad generalised considerations.</p> <p>Gives effect to NZCPS policies 1.1.1a, 1.1.2, 1.1.3, 2.1.1, 2.1.2, 3.1.1, 3.1.2, 3.1.3, 3.2.1, & 3.2.4</p>	<p>High</p>	<p>The effects of a particular proposal and specified matters are being considered, leading to certainty.</p> <p>Proposals have the opportunity to work with or around the values with a potential win-win outcome.</p> <p>Because the focus is on a particular, often limited, site, it is efficient to examine many specified values for that site. Environmentally, the technique allows more values to be included and protected.</p> <p>Increased clarity and certainty for all interested parties.</p> <p>Requires development to address specified matters.</p> <p>Provides a consistent framework for assessing or evaluating development or activities across the region.</p> <p>The benefits are unlikely to be as high as when directing plans, as the requirement “to consider” is not as strong, and will only apply in certain, specified circumstances.</p>	<p>Cost would be born more by some proposals due to the activity status of applications and the matters discretion and control is reserved over.</p> <p>Costs of investigations, justifications and addressing particular matters which are site specific are borne by the applicant.</p> <p>Costs lie more with the developer as applications have to address matters specifically on a case by case basis.</p> <p>Costs are borne mostly by the applicant. More values to be addressed mean more identification and analysis, and potentially more resources in redesign to accommodate those values.</p> <p>There is an environmental downside in that some values may have to be compromised in order to protect other values if a development is to be allowed.</p> <p>The social cost is that the community has to be ever vigilant in examining each proposal to ensure the values are not compromised.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 5 – Direction to consider preserving all values when making resource management decisions</p> <p>This option requires local authorities to have particular regard to all values that contribute to the natural character of the coastal environment, when making resource management decisions, in order to preserve the natural character of the coastal environment.</p>	<p>Local authorities would have to give particular regard to each and every value that contributes to the natural character of the coastal environment, when making resource management decisions.</p> <p>This would require a lot of information to be provided for decision making processes</p>	Med	<p>All the possible effects of a particular proposal on all values would be considered, leading to comprehensive coverage, but also complexity and uncertainty.</p> <p>Proposals have the opportunity to work with or around the values with a potential win-win outcome, but solutions are more easily contested, as the priorities across the values will be less well established or guided by the policy framework.</p> <p>Because the focus is on a particular site, it is efficient to examine many specified values for that site. Environmentally, the technique allows more values to be included and protected.</p> <p>Requires development to address specified matters.</p> <p>The benefits are unlikely to be as high as when directing plans, as the requirement 'to consider' is not as strong, and will only apply in certain, specified circumstances.</p>	<p>Will not lead to a consistent framework for assessing or evaluating development or activities across the region.</p> <p>Cost would be born more by some proposals due to the activity status of applications and the matters discretion and control is reserved over.</p> <p>Costs of investigations, justifications and addressing particular matters which are site specific are borne by the applicant.</p> <p>Costs lie more with the developer as applications have to address matters specifically on a case by case basis.</p> <p>More values to be addressed mean more identification and analysis, and potentially more resources in redesign to accommodate those values.</p> <p>There is an environmental downside in that some values may have to be compromised in order to protect other values if a development is to be allowed.</p> <p>The social cost is that the community has to be ever vigilant in examining each proposal to ensure the values are not compromised.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 6 - Give priority to matters of national importance</p> <p>This option requires resource management decision making processes (i.e. plans and resource consents) to identify where natural character and significant indigenous habitats and ecosystems should be afforded priority for protection.</p>	<p>Would provide certainty that where natural character and significant indigenous habitats and ecosystems have been identified and assessed as warranting recognition and provision for as matters of national importance that priority shall be had to protecting those areas, places, features and values.</p> <p>Promotes consistency in resource consents processes and a consistent regional and district plan framework for the development of consent conditions, policies, rules and methods pertaining to the region’s natural character and significant indigenous habitats and ecosystems.</p> <p>Effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to natural character and significant indigenous habitats and ecosystems the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where natural character and significant indigenous habitats and ecosystems policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is more effective than option 1 because it applies to resource consents in addition to plan change processes and assists in achieving objective 20 and a coordinated and integrated approach to the protection of the region’s natural character and significant indigenous habitats and ecosystems in a way consistent with the purpose of the RMA.</p>	<p>High</p>	<p>This policy option promotes a coordinated and integrated approach to the protection and enhancement of historic heritage and outstanding natural features and landscapes within the region. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective. These benefits include:</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with natural character and significant indigenous habitats and ecosystems in resource consents and plan change processes. ▪ Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions. ▪ Ecological, social and cultural benefits derived from the preservation of natural character and protection of significant indigenous habitats and ecosystems. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. ▪ Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps. Process could be contentious. ▪ Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified natural character and significant indigenous habitats and ecosystems. Process could be contentious. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community’s quality of life, cultural values, sense of places, historical linkages and spiritual renewal. ▪ The regional and each district community agrees to the associated protection or restrictions through the plan making process. ▪ Provides some certainty for community & developers as to what historic heritage and outstanding natural features and landscapes are to be afforded priority for protection through plan and resource consents provisions. 	<ul style="list-style-type: none"> ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans and resource consent applicants would be required to implement the policy and therefore incur the costs. ▪ There are potential opportunity costs for affected landowners, developers or those undertaking activities, although these may be offset by opportunities associated with establishing clear and certain provisions within which to plan development in areas not affected. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites. 	
<p>Option 7 – Considerations for the protections of indigenous habitats and ecosystems</p> <p>This option links to option 6 above by requiring specified considerations in resource management decision making processes in respect to indigenous habitats and ecosystems identified as warranting recognition and provision for as matters of</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors</p>	<p>Med</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>national importance.</p>	<p>and intent. Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p> <p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for in the decision.</p> <p>The effects (planning responses) are able to be attributed to specific matters which act as prompts, triggers or conditions (the causes)—so that the relationship between an activity’s effects (causes) and resource management response (effects) is more clearly established.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for ‘plan review’, changes, or variations. The timing provides for an ‘interim’ provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p>		<p>Less conflict and debate about what is relevant or pertinent and what is not, to considerations.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p> <p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and so a rationale as to how treated within the decision is available. This improves transparency in the process, which further informs and guides future proposals (which prompt the need for consideration), and thus improves the ability to develop tailor made solutions or responses, and to learn and adapt future solutions over time.</p> <p>Being able to identify the concerns and likely responses allows solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop, towards arresting the issue and achieving the objective.</p>	<p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p> <p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion, innovation within the response to matters, on a case by case basis.	Individual proposals or applications act as pilots or trial as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the ‘interim’ period, that otherwise would be borne by the community in formulating new plan provisions. Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.	
<p>Option 8 - Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act</p> <p>This option requires resource management decision making processes (i.e. plans and resource consents) to use specific criteria for assessing each matter of national importance when determining the extent to which decision makers must recognise and provide for each of the specified section 6 matters of national importance.</p>	<p>This option is considered effective as it promotes consistency in resource consents and regional and district plan processes to support the identification and understanding the region’s historic heritage and outstanding natural features and landscapes.</p> <p>This option is effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to historic heritage and outstanding natural features the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where natural character and significant indigenous habitats and ecosystems policies apply and where they do not.</p>	High	<p>This policy option promotes the use of consistent criteria for assessing natural character and significant indigenous habitats and ecosystems values in resource consents and plan change processes. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option.</p> <p>However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective. These benefits include:</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> Environmental values may be compromised through inconsistent application of the criteria between districts. Risk considered medium. <p><u>Economic</u></p> <ul style="list-style-type: none"> There are significant economic costs for councils, developers, consent applicants and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. 	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is more effective than option works in tandem with option 2 and applies to resource consents and plan change processes and assists in achieving objective 20. This options assists in promoting a coordinated and integrated approach to the identification of the region’s natural character and significant indigenous habitats and ecosystems in a way consistent with the purpose of the RMA.</p>		<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with natural character and significant indigenous habitats and ecosystems in resource consents and plan change processes. ▪ Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions. ▪ Ecological, social and cultural benefits derived from the protection of natural character and significant indigenous habitats and ecosystems. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community’s quality of life, cultural values, sense of places, historical linkages and spiritual renewal. ▪ High probability there will remain regional and district community agreement to apply the heritage criteria during resource consents and plan making processes. 	<ul style="list-style-type: none"> ▪ Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps and in resource consents processes. These processes could be contentious and protracted. ▪ Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified natural character and significant indigenous habitats and ecosystems. Process could be contentious and protracted ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans and resource consent applicants would be required to implement the policy by using experts to use and apply the criteria and therefore incur the costs. 	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<ul style="list-style-type: none"> ▪ Provides some certainty for community & developers as to where natural character and significant indigenous habitats and ecosystems are to be afforded priority for protection through plan and resource consents provisions. 	<p><u>Social</u></p> <p>There are potentially high social costs when engaging the community in consultation about their relationship and values (e.g. associative) in relation to natural character and significant indigenous habitats and ecosystems.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 9 – Using criteria to assess appropriateness of development</p> <p>This option requires resource management decision making processes (i.e. plans and resource consents) to assess, using specific criteria, whether subdivision, use and development is inappropriate with regard to matters of national importance (i.e. natural character, outstanding natural features and landscapes, significant indigenous vegetation and habitats of indigenous fauna, public access, Maori culture and traditions, and historic heritage) considered to warrant protection under section 6 of the Act.</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to well informed and more consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent.</p> <p>Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p> <p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.</p>	<p>High</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent to considerations and what is not.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p> <p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and the rationale as to how decisions were made will be available. This improves transparency in the process, which further helps inform and guide future proposals, and thus improves the ability to develop appropriate solutions or responses.</p> <p>Being able to identify the concerns and likely responses allows efforts to find solutions to be targeted.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p> <p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and/or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p> <p>When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.</p>		<p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop towards arresting the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion and innovation within the response to matters, on a case by case basis.</p>	<p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p> <p>Individual proposals or applications act as pilots or trials as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.</p>	
<p>Option 10 – Managing effects of subdivision, use and development</p> <p>This option requires resource management decision making processes (i.e. plans and resource consents) to avoid, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with option 3 above as warranting protection under section 6 of the Act.</p>	<p>This policy option is considered effective as it requires specific direction that adverse effects on matters of national importance be avoided, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development. This option works in tandem with options 3 and 4, on matters of national importance.</p> <p>Values and places assessed as warranting recognition and provision for as matters of national importance using criteria consistent with those in the Appendix F criteria shall be prioritised in order of firstly avoiding potential adverse effects on them. If avoidance of potential adverse effects isn't achievable than effects should be remedied or mitigated. The criteria in Appendix F assist in identifying elements</p>		<p>A key benefit is there is little risk these recently operative Change No. 1 (Criteria) provisions to the RPS will be subject to successful challenge through the Environment Court as there have been no relevant amendments to the RMA which make them inconsistent.</p> <p>The environmental, social, cultural and economic benefits are essentially the same as those for options 2 and 3 above, as these policy options work in mutually together in order to achieve objective 20.</p>	<p>The environmental, social, cultural and economic costs are essentially the same as those for options 2 and 3 above, as these policy options work in mutually together in order to achieve objective 20.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>of the environment that may be so affected. An assessment is to be in such detail as corresponds with the scale and significance of the effects.</p> <p>Not all activities will affect matters of national importance, and applicants and decision makers will accordingly have to exercise judgement about what is necessary to include in the assessment of environmental effects.</p>	High			Yes
Allocation of responsibilities					
<p>Option 11 Allocating responsibilities for land use controls to maintain indigenous biodiversity</p>	<p>This policy option is effective in clearly establishing lead authorities for indigenous biodiversity maintenance within the region. Specifying responsibility is a requirement of the Act.</p> <p>Some values, particularly ecological, geological and natural character values may extend across jurisdictional boundaries. Both sides of a particular value need protection, and this should be coordinated between relevant district and regional councils to be effective.</p>	Medium	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Coordinated approaches to the protection of natural character and significant indigenous habitats and ecosystems can generate greater community buy in and ongoing support, where effective. However, these processes often require various resourcing from management authorities long term commitments and therefore certainty are difficult to attain. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ Potential cost savings through efficiencies from shared use of resources. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Allows for flexibility of approach rather than imposing regulatory policies. Can increase awareness about the importance of natural character and significant indigenous habitats and ecosystems. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Limited environmental costs associated with this non-regulatory policy option. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are organisational and resourcing costs to facilitate this package of non-regulatory policy options. Effort is required to establish landscape protection guidelines, coordinated efforts towards the protection of natural character and significant indigenous habitats and ecosystems. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Potential for conflict and strained relations with other agencies, community and landowner groups if coordination efforts have different levels of cooperation, resourcing and energy input and lack of tangible results. 	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Do Nothing					
Option 12 – No intervention	<p>Unlikely to address issue concerning the preservation of natural character and the protection of significant indigenous habitats and ecosystems if there are no policies or methods in place to achieve the objective. This option would therefore not be effective.</p> <p>As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the Resource Management Act 1991.</p>	Low	<p>Economic costs would be saved through not having to implement policies or methods.</p> <p>Local authorities are able to work with their communities to identify on a case-by-case basis where natural character and significant indigenous habitats and ecosystems warrant recognition and provision, and what, if any, resource management intervention is required, without a predetermined regional policy direction.</p>	<p>It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Resource Management Act 1991.</p> <p>Local authorities would have to formulate their own approach and response to the issue.</p>	No

5.3 Results of evaluation as to the most appropriate policy and method options to achieve objective 19

Policy and method options	Factors contributing to effectiveness ³	Efficient?	Selected (most appropriate) option(s)(tick or cross)	Proposed policies and methods
Broad direction to district and/or regional plans				
Option 1 – Direct plans to identify and preserve natural character and significant indigenous habitats and ecosystems	Med	No	X	N/A
Option 2 – Direction to plans to preserve the values of specified sites and areas This option requires regional and district plans to protect particular values in specified sites and areas, as indicated within the regional policy statement (in a schedule), in order to protect significant values and preserve the natural character of the coastal environment.	Med	No	X	N/A
Option 3 – Direction to plans to describe values to be protected generically and not identify where they are This option requires regional and district plans to protect particular values in order to protect these values and preserve the natural character of the region, but would not require the identification of where the specified values are located.	Med	No	X	N/A
Specific direction on matters to be given particular regard to, in resource management decision making				
Option 4 – Direction to consider preserving specified values when making resource management decisions This option requires local authorities to have particular regard to specified matters when making resource management decisions, in order to preserve significant values that contribute to the natural character of the coastal environment.	Med	No	X	N/A
Option 5 – Direction to consider preserving all values when making resource management decisions	Med	No	X	N/A
Option 6 – Give priority to matters of national importance	High	Yes	✓	Policy MN 1B and methods 3, 9, 10, 42, 55 and 56

³ Effectiveness becomes the net value of an assessment of the relative difference between options in terms of their ability to influence or deliver intended outcomes.... The have great or widespread effect vs being of marginal or limited effect.

Policy and method options	Factors contributing to effectiveness ³	Efficient?	Selected (most appropriate) option(s)(tick or cross)	Proposed policies and methods
Option 7– Considerations for the protections of indigenous habitats and ecosystems	High	Yes	<input type="checkbox"/>	Policy MN 2B methods 3, 27, 43 and 55
Option 8 - Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act	High	Yes	<input type="checkbox"/>	Policy MN 3B and method 3, 9, 10 and 42
Option 9 – Using criteria to assess appropriateness of development	High	Yes	<input type="checkbox"/>	Policy MN 7B and methods 3 and 9
Option 10 – Managing effects of subdivision, use and development	High	Yes	<input type="checkbox"/>	Policy MN 8B and 3 and 9
Allocation of responsibilities				
Option 11 – Allocating responsibilities for land use controls to maintain indigenous biodiversity	High	Yes	<input type="checkbox"/>	Policy IR 8C and method 3
Do nothing				
Option 12 – No intervention	Med	Yes	X	N/A

5.3.1 Discussion on selected options

The preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems is a matter of national importance as defined in Part II of the Act.

The Bay of Plenty region has experienced an historic loss of natural character and significant habitats and ecosystems and habitats with indigenous biodiversity values and this loss is continuing. In addition, the condition of remaining areas is negatively impacted on by a range of factors such as pest plants and animals and the cumulative effects of ongoing subdivision and development.

Collectively, having regard to their efficiency and effectiveness, a range of regulatory and non-regulatory options are appropriate to achieve objective 20 and to address all of the matters of national importance issues, the most relevant being:

Places or areas warranting recognition and/or protection as matters of national importance are still being degraded and lost through inappropriate subdivision, use and development.

Many sites and areas warranting recognition and/or protection as matters of national importance are in private ownership, making them vulnerable to pressures of development, and placing the responsibility and cost for protection and management on landowners. A lack of awareness about the significance and management of these areas increases the risk to these places.

The range includes the regulatory options 6, 7, 8, 9 and 10 (policies 50, 51, 52, 57 and 58 and methods 3, 6C 24, 41, 53 and 54), and the non-regulatory option 99 (methods 26, 42, and 53) as being the most appropriate for achieving Objective 20.

Options 1 and 6 are essentially the same, except Option 6 is considered more effective and efficient as it also includes application of the Appendix F sets 1 and 3 criteria in resource consents, heritage order or designation processes in addition to inclusion within plan processes. Options 1 and 6 involve using a specified set of criteria for determining the values associated with natural character (under section 6(a)) and significant indigenous flora and habitats of indigenous fauna (section 6(c)). The environmental and social benefits of identifying the values associated with natural character and significant indigenous flora and habitats of indigenous fauna using a set of consistent criteria outweigh the economic costs of doing so.

Option 2 requires regional and district plans to protect particular values in specified sites and areas, as indicated within the regional policy statement (in a schedule), in order to protect significant values and preserve the region's natural character is assessed as being less efficient, because the cost of identification and the level of community and tangata whenua engagement would be very high at a regional scale. It is considered more effective to provide the criteria in the regional policy statement to identify these areas in plans, resource consents, heritage order and designation processes. It is considered more appropriate that local authorities work with iwi and communities at a district level to evaluate natural character (using regionally defined criteria) and thence to develop appropriate mechanisms for the protection, maintenance and enhancement of identified places or areas warranting recognition and provision as matters of national importance.

The territorial authorities are better placed to undertake this consultation rather than the Bay of Plenty Regional Council alone. Particularly as district councils control subdivision and most land use development through their district plans. The social and economic costs would be less overall if the identification occurred at a local level. The Bay of Plenty Regional Council already identifies areas of natural character and significant indigenous habitats and ecosystems in the coastal environment within the Regional Coastal Environment Plan.

Options 6, 8, 9 and 10 work in combination through requiring specified RPS criteria. Appendix F (policies MN 1B and MN 3B and method 3) than Appendix G (policy MN 7B and method 3) to be applied in order to identify what natural character (under section 6(a)) and significant indigenous flora and habitats of indigenous fauna (section 6(c)) warrant recognition and provision for as matters of national importance, and than to assess whether the proposal is inappropriate or not. Other considerations occur in tandem including avoiding, remedying and mitigating potential adverse effects with emphasis placed on avoiding adverse effects (i.e. option 10 being policy MN 8B and methods 3 and 9)).

These policies direct district and regional plans and resource consent, heritage order and designation applications to afford priority to the protection of identified historic heritage and outstanding natural features and landscapes. All councils have some existing levels of recognition and provision for natural character and significant indigenous habitats and ecosystems in their district plans. The regional council has rules for the preservation of natural character and significant indigenous habitats and ecosystems in the Regional Coastal Environment Plan. This option provides council with the direction necessary to improve protection for historic heritage. Option 4 is both efficient and effective, as the environmental and social benefits of protecting significant historic heritage and avoiding the destruction of unidentified archaeological sites and waahi tapu outweigh the economic and social costs of doing so.

Option 9 (policy MN 7B and method 3), requires specified criteria to be used when determining whether or not a proposed resource consent activity that may adversely affect historic heritage or an outstanding natural feature or landscape, if so, whether or not the activity is appropriate. This option will also provide that relevant matters will be considered when determining what changes are required for district and regional plans. The criteria contained in Appendix G were only recently made operative in June 2008. This option is assessed as highly effective

and moderately efficient, as there could be significant costs involved with preparing and reviewing the information required for planning decisions.

Option11 involves specifying the allocation of responsibilities for land use controls to maintain indigenous biodiversity. This option clearly establishes that regional council has responsibility for the control of the use of land to maintain indigenous biodiversity within the coastal marine area, while city and district councils have responsibility for all other land areas within the region.

The combination of specific directive, allocation of responsibilities and guidance policy options will help to promote objective 20.

It is important that tangata whenua and the wider community be involved in the identification and protection of sites significant to them. There are costs involved in the preparation and distribution of information to help interpret the criteria, as well as community and tangata whenua consultation. However, these costs are modest compared with the benefits.

The guidance policy and supporting methods are not anticipated to act in isolation, as they are most effective when developed to support and supplement the implementation of the specific directive options 6, 7, 8, 9 and 10.

It is usual for the private compliance costs to be the most significant cost of public interventions. However, in this case the additional private compliance costs are considered to be low. Certainly there will be costs incurred by landowners and other resource users in complying with the policy options to use the Appendix F and Appendix G criteria in combinations with the relevant existing regulatory framework in place at the district, city and regional levels. However, this framework is largely in place. It is unlikely that the RPS criteria will lead to radical change in the existing regulatory framework (although it is now influencing current plan changes and pending reviews). That is not to say that these policy options will result in no additional private compliance costs but such costs are likely to be low, and difficult to distinguish from the costs that would have been incurred without these RPS criteria.

It is also usual in the evaluation of costs to identify potential environmental costs that might occur as an explicit or implicit trade-off, or as a result of perverse behaviour (i.e. where rules or regulations have the opposite effect to that intended). In this case, the risk of environmental costs is considered to be low. Although the policies seek to give priority to natural character and significant indigenous flora and habitats of indigenous fauna with values that strongly meet the RPS criteria, there is no presumption either implicit or explicit, that natural character and areas of indigenous flora and habitats of indigenous fauna with less value is to be traded off.

There is also the theoretical possibility of accelerated loss of natural character and significant indigenous flora and habitats of indigenous fauna if landowners or resource users anticipate stricter performance standards arising from the use of the Appendix F and Appendix G criteria. However, this possibility is considered to be remote. Change No. 1 was originally publicly notified in May 2004, became operative in October 2008, and additional existing measures have been in place within operative and proposed regional and district plans to provide adequate safeguard against perverse behaviour.

The range includes the regulatory options 6, 7, 8, 9 and 10 (policies 50, 51, 52, 57 and 58 and methods 3, 6C 24, 41, 53 and 54), and non-regulatory option11 (policy 99 and methods 26, 42, and 53) as being the most appropriate for achieving Objective 20 and to address the regionally significant resource management issues for matters of national importance.

Option 12 (Do nothing) was assessed as not being appropriate to achieve the objective because of the high risk of further degradation of natural character and significant ecosystems and habitats in the region if no action is taken. This is not effective resource management. Nor could it be argued to be efficient, given the issue would continue unabated, and presumably would lead to increasingly unsustainable environmental outcomes, resulting in economic, social and environmental costs. The wellbeing of the community would not be supported. As the issue has been found to be regionally significant (refer to criteria in appendix 2), doing nothing would be a dereliction of function and duty under the Act.

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

It is fair to say that there is both uncertain and insufficient information about natural character and significant indigenous flora and habitats of indigenous fauna and that loss and degradation is occurring throughout the region.

The risk of acting in the way proposed is that some costs will be imposed on local authorities and applicants for resource consents, potentially for little gain in some instances.

The risk of not acting in the way proposed is that natural character and significant indigenous flora and habitats of indigenous fauna values in the Bay of Plenty region will be inconsistently, or perhaps not identified and managed at all. At best this will mean that territorial authorities, iwi, hapu, communities and individuals will not be able always to make informed choices. At worst, there may be a continued and even accelerated rate of decline in the region's indigenous biodiversity as ecosystems and habitats are degraded or lost.

It is clear to Bay of Plenty Regional Council that the risk of acting is much less than the risk of not acting.

6 Evaluation of policy and methods to achieve Objective 20

6.1 The range of policy and method options considered

The appropriateness of the policies and methods to achieve Objective 20 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

6.1.1 Range of policy and method options considered

Objective 20: The maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems

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

This assessment of policy options to achieve Objective 20 over and above the alternatives assessed in relation to and presented within the section 32 reports relating to the Coastal Environment, Geothermal Resources, Iwi Resource Management, Urban Form and Growth Management. This evaluation should therefore be considered in conjunction with those other section 32 reports as they contain further information pertinent to addressing the regionally significant resource management issues concerning the maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems.

6.1.2 Broad direction to district and/or regional plans

Option 1 Direction to plans to preserve the values of specified sites and areas

This option requires regional and district plans to encourage ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems in specified sites and areas, as indicated within the regional policy statement (in a schedule).

6.1.3 Specific direction on matters to be given particular regard to, in resource management decision making

Option 2 Direction to consider encouraging ecological restoration and rehabilitation

This option requires resource management decision making to encourage ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems through a range of methods including retaining or establishing vegetation corridors linking isolated or fragmented habitats, and the protection of ecosystems and habitats identified by the National Priorities for Biodiversity Protection on Private Land.

Option 3 Direction to consider preserving all values when making resource management decisions

This option requires local authorities to have particular regard to all values that contribute to encouraging ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems, when making resource management decisions.

6.1.4 Allocation of responsibilities**Option 4 Considerations for the protection of indigenous habitats and ecosystems**

This option involves directing local authorities to specify objectives, policies and rules including conditions of resource consent, for the control of the use of land to maintain indigenous biodiversity.

6.1.5 Guidance options**Option 5 Taking an interagency approach to protection**

This option promotes greater interaction and collaboration among different agencies with various responsibilities for ecosystems, historic heritage and natural character management to avoid resource duplication and maximise efficiency. Specific methods for implementing this policy include providing information about agency roles and responsibilities, preparing non regulatory landscape protection guidelines for the western Bay of Plenty sub-region to promote a reduction of adverse visual effects of development, and encouraging other agencies to protect key sites.

6.1.6 Do nothing**Option 6 No intervention**

In this option, there is no intervention, either regulatory or non-regulatory, to promote the preservation of the natural character of the region, including the protection of significant indigenous habitats and ecosystems, having particular regard to intrinsic values of ecosystems.

6.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 20

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Broad direction to district and/or regional plans					
<p>Option 1 – Direction to plans to preserve the values of specified sites and areas</p> <p>This option requires regional and district plans to encourage ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems in specified sites and areas, as indicated within the regional policy statement (in a schedule).</p>	<p>Establishes a consistent policy framework within which to develop provisions in plans, in requiring pertinent plans to promote certain policies, rules and/or methods (as actions) across the region.</p> <p>Gives clear direction for future use and development, as to where not to go.</p> <p>However, the sites and areas able to be listed, depend on the quality of current information about those locations. Other locations may host similarly significant values, but are not widely known about for inclusion in the Bay of Plenty Regional Policy Statement. The policy would need to be continuously updated, as further information about other locations came to light.</p> <p>Gives effect to NZCPS policies 1.1.2, 1.1.3, 3.1.2, 3.2.1 & 3.2.2</p> <p>Changes to district & regional plans, would not need to be made until a plan is next reviewed, so the effect would be delayed.</p>	Med	<p>In leaving scope as to where development might be able to go, still necessitates information to determine if other locations not able to be included in the regional policy statement, which have similar values as the sites noted in the schedule.</p> <p>However, providing an ability or necessity to update the schedule adds not only to cost of maintaining the provision, but to uncertainty as to whether the schedule is in fact comprehensive and risks to other sites not included. It also calls into question the methodology for including sites in the schedule, as it acknowledges that there is insufficient and uncertain information within the region to be able to identify all possible sites for inclusion in the schedule.</p> <p>This option would clarify the values associated with those sites able to be included in a schedule, providing certainty in relation to their use and development.</p>	<p>There is currently insufficient and uncertain information pertinent to developing such a schedule of sites or areas within the next Bay of Plenty Regional Policy Statement</p> <p>There are human and economic costs for councils and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate and then establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement..</p> <p>The costs do not need to be incurred until a plan is reviewed. Making changes at this time would reduce compliance costs.</p> <p>There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites.</p> <p>There are potential opportunity costs for affected landowners, although these may be offset by opportunities associated with the recognition and provision of significant values in association with property in the coastal environment.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
				Potential generalised environmental costs as only the regionally significant values will be identified, and more extensive but lesser quality examples of the values may not be protected.	
Specific direction on matters to be given particular regard to, in resource management decision making					
<p>Option 2 – Direction to consider encouraging ecological restoration and rehabilitation</p> <p>This option requires resource management decision making to encourage ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems through a range of methods including retaining or establishing vegetation corridors linking isolated or fragmented habitats, and the protection of ecosystems and habitats identified by the National Priorities for Biodiversity Protection on Private Land.</p>	<p>Requires resource management decisions to consistently promote certain actions, as they are required to “give effect to” the Regional Policy Statement. Provides interim direction prior to plan changes being made.</p> <p>Changes to district & regional plans, however, would not need to be made until a plan is next reviewed, so the effect would be delayed. However, the effect would be immediate in resource consents processes, heritage order applications, and consideration of designations.</p> <p>Establishes a consistent policy framework within which to develop regulatory provisions and/or action in plans, vis a vie requiring pertinent plans, consents, designations and heritage orders to promote certain ecological restoration and rehabilitation policies, rules and/or methods (as actions) across the region, and sets out specific principles to be applied, while decision making would still be determined at the local level.</p> <p>Sets out a clear direction for regulatory provisions, both intent and in terms of the parameters considered relevant in further development of the planning framework.</p> <p>Matters would be given “particular regard” when considering resource consents, plan changes, heritage protection orders and notices of requirement for designations.</p>	High	<p>Increases clarity and certainty in terms of relevant aspects to be protected, but does not provide clarity or certainty as to where they might be located.</p> <p>The community assists in developing the various specific protection mechanisms or restrictions through the plan making process, but not in the identification of where each value is located.</p> <p>Through the plan making process, public buy-in to the values and the necessary restrictions for protecting them.</p> <p>Discourages ad-hoc development.</p> <p>Provides a consistent framework for assessing development across the region.</p> <p>Efficient because provision is applied district/region wide and less information is required for individual consent applications.</p> <p>Not as much clarity and certainty as to what the values are and where they are.</p> <p>Public buy-in to the values and the necessary restrictions for protecting them is easier to get as it less obvious who might be affected.</p>	<p>Less social cost for engaging the community on values in general but without specific sites or knowing what exactly they are.</p> <p>Opportunity cost for affected landowners only invoked when an actual proposal is made.</p> <p>No costs for identification and mapping.</p> <p>Unidentified values may be missed or inadvertently damaged by development resulting in potential environmental costs.</p>	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Particular regard however could only be given where “activity status” and/or “discretion” for a proposal relates to relevant topic.</p> <p>Would provide direction on how the region wants to see the region’s resources managed.</p> <p>Provides a consistent framework for assessing development across the region.</p> <p>Specific decision making would still be determined at the local level.</p> <p>Unlikely to be effective by itself when considering applications as matters are broad and generic.</p> <p>Effective as provides interim protection until protection is built into the plan.</p> <p>Effective as can include more values & considerations than those specifically identified in site mapping.</p>		<p>Economically efficient as the values would have to be identified and effects on them addressed on a case by case basis, when development is proposed.</p> <p>Environmentally not very efficient because although legally protected, practical protection is less certain.</p>		
<p>Option 3 – Direction to consider preserving all values when making resource management decisions</p> <p>This option requires local authorities to have particular regard to all values that contribute to encouraging ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems, when making resource management decisions.</p>	<p>Local authorities would have to give particular regard to each and every value that contributes to encouraging ecological restoration and rehabilitation of natural communities and significant indigenous flora, fauna and ecosystems, when making resource management decisions.</p> <p>This would require a lot of information to be provided for decision making processes</p>	Med	<p>All the possible effects of a particular proposal on all values would be considered, leading to comprehensive coverage, but also complexity and uncertainty.</p> <p>Proposals have the opportunity to work with or around the values with a potential win-win outcome, but solutions are more easily contested, as the priorities across the values will be less well established or guided by the policy framework.</p> <p>Because the focus is on a particular site, it is efficient to examine many specified values for that site. Environmentally, the technique allows more values to be included and protected.</p>	<p>Will not lead to a consistent framework for assessing or evaluating development or activities across the region.</p> <p>Cost would be born more by some proposals due to the activity status of applications and the matters discretion and control is reserved over.</p> <p>Costs of investigations, justifications and addressing particular matters which are site specific are borne by the applicant.</p> <p>Costs lie more with the developer as applications have to address matters specifically on a case by case basis.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p>Requires development to address specified matters.</p> <p>The benefits are unlikely to be as high as when directing plans, as the requirement ‘to consider’ is not as strong, and will only apply in certain, specified circumstances.</p>	<p>More values to be addressed mean more identification and analysis, and potentially more resources in redesign to accommodate those values.</p> <p>There is an environmental downside in that some values may have to be compromised in order to protect other values if a development is to be allowed.</p> <p>The social cost is that the community has to be ever vigilant in examining each proposal to ensure the values are not compromised.</p>	
Allocation of responsibilities					
<p>Option 4 – Allocating responsibilities for land use controls for indigenous biodiversity</p> <p>This option involves directing local authorities to specify objectives, policies and rules including conditions of resource consent, for the control of the use of land to maintain indigenous biodiversity.</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent. Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p>	Med	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent and what is not, to considerations.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p>	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for in the decision.</p> <p>The effects (planning responses) are able to be attributed to specific matters which act as prompts, triggers or conditions (the causes)—so that the relationship between an activity’s effects (causes) and resource management response (effects) is more clearly established.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for ‘plan review’, changes, or variations. The timing provides for an ‘interim’ provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p>		<p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and so a rationale as to how treated within the decision is available. This improves transparency in the process, which further informs and guides future proposals (which prompt the need for consideration), and thus improves the ability to develop tailor made solutions or responses, and to learn and adapt future solutions over time.</p> <p>Being able to identify the concerns and likely responses allows solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop, towards arresting the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion, innovation within the response to matters, on a case by case basis.</p>	<p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Individual proposals or applications act as pilots or trial as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the ‘interim’ period, that otherwise would be borne by the community in formulating new plan provisions.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Guidance options					

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 5 Taking an interagency approach to the maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems</p>	<p>This policy option could be effective if all relevant agencies with various responsibilities for the maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems commit to this non regulatory action.</p> <p>There is no certainty these non-regulatory actions will be achieved and can be appropriately resourced.</p> <p>May not be effective in influencing private developments, as they largely rely on collaboration and cooperation.</p> <p>Some values, particularly ecological, geological and historic heritage values may extend across jurisdictional boundaries. Both sides of a particular value need protection, and this should be coordinated between relevant district and regional councils to be effective.</p>	<p>Medium</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Coordinated approaches to the protection of maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems can generate greater community buy in and ongoing support, where effective. However, these processes often require various resourcing from management authorities long term commitments and therefore certainty are difficult to attain. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ Potential cost savings through efficiencies from shared use of resources. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Allows for flexibility of approach rather than imposing regulatory policies. Can increase awareness about the importance of maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Limited environmental costs associated with this non-regulatory policy option. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are organisational and resourcing costs to facilitate this package of non-regulatory policy options. Effort is required to establish natural character preservation and protection guidelines, coordinated efforts towards the maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Potential for conflict and strained relations with other agencies, community and landowner groups if coordination efforts have different levels of cooperation, resourcing and energy input and lack of tangible results. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Do Nothing					
Option 6 – No intervention	<p>Unlikely to address issue concerning the protection of significant indigenous habitats and ecosystems if there are no policies or methods in place to achieve the objective. This option would therefore not be effective.</p> <p>As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the Resource Management Act 1991.</p>	Low	<p>Economic costs would be saved through not having to implement policies or methods.</p> <p>Local authorities are able to work with their communities to identify on a case-by-case basis where the maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems warrant recognition and provision, and what, if any, resource management intervention is required, without a predetermined regional policy direction.</p>	<p>It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Act.</p> <p>Local authorities would have to formulate their own approach and response to the issue.</p>	No

6.3 Results of evaluation as to the most appropriate policy and method options to achieve objective 20

Policy and method options	Factors contributing to effectiveness ⁴	Efficient?	Selected (most appropriate) option(s) (tick or cross)	Proposed policies and methods
Broad direction to district and/or regional plans				
Option 1 – Direction to plans to preserve the values of specified sites and areas	Med	No	X	N/A
Specific direction on matters to be given particular regard to, in resource management decision making				
Option 2 – Direction to encourage ecological restoration when making resource management decisions	High	Yes	<input type="checkbox"/>	Policy MN 4B methods 3, 26, 43, 49, 54 and 55
Option 3 – Direction to consider preserving all values when making resource management decisions	Med	No	X	N/A
Allocation of responsibilities				
Option 4 – Allocating responsibilities for land use controls for indigenous biodiversity	High	Yes	<input type="checkbox"/>	Policy IR 8C method 3
Guidance				
Option 5 – Taking an interagency approach to protection	High	Yes	<input type="checkbox"/>	Policy IR 9D and methods 29, 44 and 55
Do nothing				
Option 6 – No intervention	Med	Yes	X	N/A

6.3.1 Discussion on selected options

The maintenance, restoration and enhancement of natural communities and habitats of significant indigenous flora, fauna and ecosystems is consistent with section 6(c) which is a matter of national importance as defined in Part II of the Act. Objective 20 refines and enhances objective 16.3.2(a) in the Operative Bay of Plenty Regional Policy Statement recognising lessons learnt from monitoring implementation of the current RPS and comments made on the Draft RPS.

There have been no amendments to the Act nor changes to the regional situation to suggest objective 20 is no longer relevant nor necessary to promote the achievement of the purpose of the Act.

Bay of Plenty Regional Council and the region's local authorities continue to undertake a wide range of regulatory and non-regulatory considerations, actions and activities, and collectively commit considerable resources into activities and projects, which contribute to restoring and rehabilitating natural communities and habitats. Relevant methods include financial support for projects and to individual, education campaigns, pest control activities, research, advocacy, supporting care and community groups, plan provisions and consent requirements.

⁴ Effectiveness becomes the net value of an assessment of the relative difference between options in terms of their ability to influence or deliver intended outcomes.... The have great or widespread effect vs being of marginal or limited effect.

Bay of Plenty Regional Council has undertaken a wide range of activities, committed considerable resources into activities and projects, which contribute to restoring and rehabilitating natural communities and habitats. Relevant methods include financial support for projects and to individual landowners (e.g. Environmental Programmes), education campaigns, pest control activities, research, advocacy, supporting care and community groups, and consent requirements.

A range of ecological based programmes/projects are contributing to the rehabilitation and restoration of natural communities and habitats across the region. Bay of Plenty Regional Council uses a variety of proactive measures to restore and rehabilitate natural communities and habitats on Council owned land and private land by working in collaboration with individual landowners, iwi, hapu and community groups across a range of environments.

Collectively, having regard to their efficiency and effectiveness, a range of specific direction, allocation of responsibilities and guidance options are appropriate to achieve objective 20 and to address the relevant matters of national importance issues. The range includes the specific directive option 2 (policy MN 4B and methods 3, 26, 43, 49, 54 and 55), allocation of responsibilities option 4 (policy IR 8C and method 3) and guidance option 5 (policy IR 9D and methods 29, 44 and 55) as being the most appropriate for achieving Objective 20.

Option 1 requires regional and district plans to protect particular values in specified sites and areas, as indicated within the regional policy statement (in a schedule), in order to protect significant values and preserve the region's natural character is assessed as being less efficient, because the cost of identification and the level of community and tangata whenua engagement would be very high at a regional scale. It is considered more effective to provide the criteria in the regional policy statement to identify these areas in plans, resource consents, heritage order and designation processes. It is considered more appropriate that local authorities work with iwi and communities at a district level to evaluate natural character (using regionally defined criteria) and thence to develop appropriate mechanisms for the protection, maintenance and enhancement of identified places or areas warranting recognition and provision as matters of national importance.

The territorial authorities are better placed to undertake this consultation rather than the Bay of Plenty Regional Council alone. Particularly as district councils control subdivision and most land use development through their district plans. The social and economic costs would be less overall if the identification occurred at a local level. The Bay of Plenty Regional Council already identifies areas of natural character and significant indigenous habitats and ecosystems in the coastal environment within the Regional Coastal Environment Plan.

Option 5 involves guidance actions to achieve objective 20. These include policy IR 8D: Taking an inter-agency approach to protection; method 29: Provide information about the roles of agencies and obligations; method 44: Prepare non-regulatory landscape protection guidelines – western Bay of Plenty sub-region; and method 55: Encourage other agencies to protect key sites. The combination of non-regulatory actions will help to promote objective 20.

The guidance policy and supporting methods are not anticipated to act in isolation, as they are most effective when developed to support and supplement the implementation of the regulatory options.

Option 6 (Do nothing) was assessed as not being appropriate to achieve objective 20 because of the high risk of further degradation to significant ecosystems and habitats in the region if no action is taken. This is not effective resource management. Nor could it be argued to be efficient, given the issue would continue unabated, and presumably would lead to increasingly unsustainable environmental outcomes, resulting in economic, social and environmental costs. The wellbeing of the community would not be supported. As the issue has been found to be regionally significant (refer to criteria in appendix 2), doing nothing would be a dereliction of function and duty under the Act.

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

It is fair to say that there is both uncertain and insufficient information about significant indigenous flora and habitats of indigenous fauna and that loss and degradation is occurring throughout the region.

The risk of acting in the way proposed is that some costs will be imposed on local authorities and applicants for resource consents, potentially for little gain in some instances.

The risk of not acting in the way proposed is that natural character and significant indigenous flora and habitats of indigenous fauna values in the Bay of Plenty region will be inconsistently, or perhaps not identified and managed at all. At best this will mean that territorial authorities, iwi, hapu, communities and individuals will not be able always to make informed choices. At worst, there may be a continued and even accelerated rate of decline in the region's indigenous biodiversity as ecosystems and habitats are degraded or lost.

It is clear to Bay of Plenty Regional Council that the risk of acting is much less than the risk of not acting.

7 Evaluation of policy and methods to achieve Objective 21

7.1 The range of policy and method options considered

The appropriateness of the policies and methods to achieve Objective 21 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

7.1.1 Range of policy and method options considered

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

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

This assessment of policy options to achieve Objective 21 over and above the alternatives assessed in relation to and presented within the section 32 reports relating to the Coastal Environment, Geothermal Resources, Iwi Resource Management, Urban Form and Growth Management. This evaluation should therefore be considered in conjunction with those other section 32 reports as they contain further information pertinent to addressing the regionally significant resource management issues concerning Maori culture and traditions.

7.1.2 Broad direction to district and/or regional plans

Option 1 Direct plans to identify and protect significant cultural sites in the region

This option requires regional and district plans to identify (using specific RPS criteria) and protect sites of cultural significance to iwi authorities in the region.

Option 2 Direction via a schedule of sites of cultural significance within the Regional Policy Statement

This option requires all relevant district and regional plans to schedule and protect the sites of cultural significance identified in a Regional Policy Statement schedule from inappropriate subdivision, use and development.

7.1.3 Specific direction on matters to be given particular regard to, in resource management decision making

Option 3 Give priority to matters of national importance

This option requires resource management decision making processes (i.e. plans and resource consents) to identify which historic heritage and natural features and landscapes should be afforded priority for protection.

Option 4 Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act

This option requires resource management decision making processes (i.e. plans and resource consents) to use specific criteria for assessing each matter of national importance when determining the extent to which decision makers must recognise and provide for each of the specified section 6 matters of national importance.

Option 5 Using criteria to assess appropriateness of development

This option requires resource management decision making processes (i.e. plans and resource consents) to assess, using specific criteria, whether subdivision, use and development is inappropriate with regard to matters of national importance (i.e. natural character, outstanding natural features and landscapes, significant indigenous vegetation and habitats of indigenous fauna, public access, Maori culture and traditions, and historic heritage) considered to warrant protection under section 6 of the Act.

Option 6 Managing effects of subdivision, use and development

This option requires resource management decision making processes (i.e. plans and resource consents) to avoid, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with option 3 above as warranting protection under section 6 of the Act.

Option 7 Avoiding adverse effects on matters of significance to Maori

This option requires resource management decision making processes (i.e. plans and resource consents) to recognise and provide for avoiding, remedying or mitigating adverse effects on Maori cultural values including the exercise of kaitiakitanga, Mauri, mahinga kai and resources used for customary purposes, places of significant cultural and historic heritage value and existing and zoned Marae or Papakainga land.

Option 8 Recognising matters of significance to Maori

This option requires resource management decision making processes (i.e. plans and resource consents) to recognise and provide for specific matters of significance to Maori including:

- traditional Maori uses and practices relating to natural and physical resources such as mahinga maataitai, waahi tapu, papakainga and taonga raranga.
- the role of tangata whenua as kaitiaki of their resource.
- the manawhenua relationship of tangata whenua with, and their role of kaitiaki of, characteristics of the natural environment.
- sites of cultural significance identified in iwi and hapu management plans.
- that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

7.1.4 Guidance option

Option 9 Taking an interagency approach to protection

This option promotes greater interaction and collaboration among different agencies with various responsibilities for ecosystems, historic heritage and natural character management to avoid resource duplication and maximise efficiency.

7.1.5 Do nothing

Option 10 No intervention

In this option, there is no intervention, either regulatory or non-regulatory, to protect historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development.

7.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 21

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Broad direction to district and/or regional plans					
Option 1 – Direct plans to identify and protect significant cultural sites to iwi authorities in the region	<p>Would provide certainty about where sites of cultural significance are within the region, and that they must be afforded protection from inappropriate subdivision, use and development.</p> <p>Seeks a consistent framework for development of policies, rules and methods pertaining to the identification and protection of the region's sites of cultural significance to iwi authorities.</p> <p>Effective in setting out criteria to be applied for assessments in plan change processes specific to sites of cultural significance the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where iwi resource management policies pertaining to sites of cultural significance and historic heritage provisions apply and where they do not.</p> <p>Identification by District Plans would not be required until 2 years after the RPS become operative so effectiveness would be delayed.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is effective because it assists in achieving objective 21 and a coordinated and integrated approach to the identification and protection of the region's historic heritage and sites of cultural significance in a way consistent with the purpose of the Act.</p>	Medium	<p>It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of objective 21.</p> <p>Decisions about what sites of cultural significance to iwi authorities to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>All relevant parties must work together to identify sites of cultural significance, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of historic heritage and cultural values.</p> <p>Establishes consistent criteria to assist local authorities with identifying culturally significant sites (i.e. historic heritage) which is a matter of national importance under the Act.</p> <p>Provides information for the community, including tangata whenua, about what is to be considered when assessing and identifying sites of cultural significance and historic heritage. Clarification helps to expedite the process and provides greater certainty and increases transparency for all interested parties.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> Environmental values may be compromised through inconsistent application of the criteria between districts. <p><u>Economic</u></p> <ul style="list-style-type: none"> There are significant economic costs for councils and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. Substantial cost of interpreting the criteria and defining the effected land on planning maps. Process could be contentious. Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. District plans would be required to implement the policy and therefore incur the costs. 	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p>Reduces resources needed by applicants to evaluate effects of proposals on sites of cultural significance and historic heritage as the values would already be identified.</p> <p>Less conflict or debate over what factors to consider when determining the values associated with sites of cultural significance and historic heritage.</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Ecological, social and cultural benefits derived from the protection of sites of cultural significance and historic heritage. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to Māori and the community's quality of life, cultural values, sense of places, historical linkages and spiritual renewal. ▪ The regional and each district community agrees to the associated protection or restrictions through the plan making process. ▪ Provides some certainty for community & developers as to what sites of cultural significance and historic heritage are afforded protection through plan provisions however there is still potential for inconsistencies over interpretation of criteria between districts. 	<ul style="list-style-type: none"> ▪ There are potential opportunity costs for affected landowners, developers or those undertaking activities, although these may be offset by opportunities associated with establishing clear and certain provisions within which to plan development in areas not affected. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites. 	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 2 – Direction via a schedule of sites of cultural significance within the Regional Policy Statement</p>	<p>Establishes a consistent policy framework region-wide and requires all relevant district and regional plans to schedule and protect the sites of cultural significance to iwi authorities identified in the Regional Policy Statement from inappropriate subdivision, use and development.</p> <p>If fully implemented, this option would result in certainty about the location of sites of cultural significance.</p> <p>Effective in identifying sites of cultural significance that cross local authority boundaries.</p> <p>The directive is easy to interpret and thus to implement, which limits the ability to contest or reinterpret which sites of cultural significance would be identified in a district or regional plan.</p>	<p>High</p>	<ul style="list-style-type: none"> ▪ Provides information for the community about where historic heritage and sites of cultural significance are located. Such clarity would provide certainty for all interested parties, and help to expedite the statutory processes. ▪ Reduces resources needed by applicants to evaluate effects of proposals on historic heritage and sites of cultural significance as the regionally significant values would already be identified. However, applicants would still need to evaluate any effects on those value and measure proposed to avoid, remedy or mitigate any potential adverse effects. 	<p>Social and economic costs would be very high as Bay of Plenty Regional Council is not as well placed as the territorial authorities to engage with local communities about sites of cultural significance and historic heritage important to them. Potentially affected landowners may miss out on the process as they are unaware the schedule will place restrictions on their ability to develop areas of their titles affected by the RPS schedule. Potentially significant cultural sites may not be identified for inclusion because of sensitivities associated with their location or history leaving them vulnerable to destruction or modification.</p>	<p>No</p>
<p>Specific direction on matters to be given particular regard to, in resource management decision making</p>					
<p>Option 3 – Give priority to matters of national importance</p>	<p>Would provide certainty where sites of cultural significance and historic heritage have been identified and assessed as warranting recognition and provision for as matters of national importance that priority shall be had to protecting those areas, places, features and values.</p> <p>Promotes consistency in resource consents processes and a consistent regional and district plan framework for the development of consent conditions, policies, rules and methods pertaining to the region’s sites of cultural significance and historic heritage to iwi authorities.</p>	<p>High</p>	<p>This policy option promotes a coordinated and integrated approach to the protection of sites of cultural significance and historic heritage to iwi authorities within the region. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect the regional policy statement to. 	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to sites of cultural significance and historic heritage to iwi authorities the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where culturally significant sites and historic heritage policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is more effective than options 1 and 2 because it applies to resource consents in addition to plan change processes and assists in achieving objective 21 and a coordinated and integrated approach to the protection of the region's sites of cultural significance and historic heritage in a way consistent with the purpose of the RMA.</p>		<p>These benefits include:</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with sites of cultural significance and historic heritage to iwi authorities in resource consents and plan change processes. <p>Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions.</p> <p>Ecological, social and cultural benefits derived from the protection of indigenous flora and fauna contained within sites of cultural significance and historic heritage to iwi authorities.</p> <p><u>Social</u></p> <p>Social and cultural benefits by contributing to the regional community's quality of life, cultural values, sense of places, historical linkages and spiritual renewal.</p> <p>The regional and each district community agrees to the associated protection or restrictions through the plan making process.</p> <p>Provides some certainty for community & developers as to sites of cultural significance and historic heritage to iwi authorities which are to be afforded priority for protection through plan and resource consents provisions.</p>	<p>Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps. Process could be contentious.</p> <p>Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified sites of cultural significance and historic heritage to iwi authorities. Process could be contentious.</p> <p>Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure.</p> <p>District plans and resource consent applicants would be required to implement the policy and therefore incur the costs.</p> <p>There are potential opportunity costs for affected landowners, developers or those undertaking activities, although these may be offset by opportunities associated with establishing clear and certain provisions within which to plan development in areas not affected.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites. 	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 4 – Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act</p>	<p>This option is considered effective as it promotes consistency in resource consents and regional and district plan processes to support the identification and understanding the region’s sites of cultural significance and historic heritage.</p> <p>This option is effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to sites of cultural significance and historic heritage the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where sites of cultural significance and historic heritage policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is more effective than options 1 and 2 and works in tandem with option 3. Option 4 applies to resource consents and plan change processes to assist in achieving objective 21. Option 4 assists in promoting a coordinated and integrated approach to the identification of the region’s sites of cultural significance and historic heritage in a way consistent with the purpose of the RMA.</p>	<p>High</p>	<p>This policy option promotes the use of consistent criteria for assessing sites of cultural significance and historic heritage in resource consents, plan change, designations and heritage order processes. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option.</p> <p>However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective. These benefits include:</p> <p>Environmental</p> <p>Provides a consistent framework for assessing values associated with sites of cultural significance and historic heritage in resource consents, plan change, designations and heritage order processes.</p> <p>Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions.</p> <p>Ecological, social and cultural benefits derived from the protection of indigenous flora and fauna contained within sites of cultural significance.</p> <p>Social</p> <p>Social and cultural benefits by contributing to the regional community’s quality of life, cultural values, sense of places, historical linkages and spiritual renewal.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. Risk considered medium. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers, consent applicants and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. <p>Substantial cost of interpreting and applying the heritage criteria and defining the effected land on planning maps and in resource consents processes. These processes could be contentious and protracted.</p> <p>Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified sites of cultural significance and historic heritage. Process could be contentious and protracted.</p> <p>Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p>High probability there will remain regional and district community agreement to apply the heritage criteria during resource consents and plan making processes.</p> <p>Provides some certainty for community & developers as to what sites of cultural significance and historic heritage are to be afforded priority for protection through plan and resource consents provisions.</p>	<p>District plans and resource consent applicants would be required to implement the policy by using experts to use and apply the criteria and therefore incur the costs.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about their relationship and values (e.g. associative) in relation to sites of cultural significance and historic heritage. 	
<p>Option 5 – Using criteria to assess appropriateness of development</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to well informed and more consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent.</p> <p>Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p>	<p>High</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires subdivision, use and development to address specified matters where it has been assessed as potentially affecting a section 6 matter of national importance.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent to considerations and what is not.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p> <p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p> <p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p>		<p>The decision will account for each of the matters specified and the rationale as to how decisions were made will be available. This improves transparency in the process, which further helps inform and guide future proposals, and thus improves the ability to develop appropriate solutions or responses.</p> <p>Being able to identify the concerns and likely responses allows efforts to find solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop towards arresting the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion and innovation within the response to matters, on a case by case basis.</p>	<p>The costs of developing solutions to address causes and/or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p> <p>Individual proposals or applications act as pilots or trials as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.</p>	
<p>Option 6 – Managing effects of subdivision, use and development</p>	<p>This policy option is considered effective as it requires specific direction that adverse effects on matters of national importance be avoided, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development. This option works in tandem with options 3, 4 and 5 on matters of national importance.</p>	<p>High</p>	<p>A key benefit is there is little risk these recently operative Change No. 1 (Criteria) provisions to the RPS will be subject to successful challenge through the Environment Court as there have been no relevant amendments to the RMA which make them inconsistent.</p>	<p>The environmental, social, cultural and economic costs are essentially the same as those for options 3, 4 and 5 above, as these policy options work in mutually together in order to achieve objective 21.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Values and places assessed as warranting recognition and provision for as matters of national importance using criteria consistent with those in the Appendix F criteria shall be prioritised in order of firstly avoiding potential effects on them. If avoidance of potential adverse effects isn't achievable then effects should be remedied or mitigated. The criteria in Appendix F assist in identifying elements of the environment that may be so affected. An assessment is to be in such detail as corresponds with the scale and significance of the effects.</p> <p>Not all activities will affect matters of national importance, and applicants and decision makers will accordingly have to exercise judgement about what is necessary to include in the assessment of environmental effects.</p>		<p>The environmental, social, cultural and economic benefits are essentially the same as those for options 3, 4 and 5 above, as these policy options work in mutually together in order to achieve objective 21.</p>		
<p>Option 7 P62 – Avoiding adverse effects on matters of significance to Maori</p> <p>This option requires resource management decision making processes (i.e. plans and resource consents) to recognise and provide for avoiding, remedying or mitigating adverse effects on Maori cultural values including the exercise of kaitiakitanga, Mauri, mahinga kai and resources used for customary purposes, places of significant cultural and historic heritage value and existing and zoned Marae or Papakainga land.</p>	<p>The policy option involves recognising and providing for avoiding, remedying or mitigating adverse effects on Maori cultural values including the exercise of kaitiakitanga, Mauri, mahinga kai and resources used for customary purposes, places of significant cultural and historic heritage value and existing and zoned Marae or Papakainga land.</p> <p>This policy is effective, in that it streamlines and combines several significant concepts of Māori culture and traditions into a single policy to guide resource management decision making processes and address the matters of national importance issues of resource management significance including the iwi resource management issues of significance.</p>	High	<p>This policy option seeks to address the adverse impacts which growth and development pressures has had on the widespread destruction and degradation of places, sites and areas with cultural, spiritual or historic heritage value of significance to tangata whenua. These include incompatible land uses or activities being granted consent to locate beside Papakāinga or Marae. Option 7 recognises and provides for section 6(e), 7(a) and 8 matters.</p>	<p>It is difficult to assess, with certainty, the public and private compliance costs arising from this policy. There may costs associated with consulting Maori where an assessment of Maori culture and traditions is necessary in relation to section 6(e) (in plan change and resource consent processes). However, it is considered that this is a duty implicit in sections 6(e), 7(a) and 8 of the RMA and this policy merely clarifies this. In isolation this policy option is unlikely to result in any additional private compliance costs.</p>	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Policy 62 has received strong support from iwi and hapū across the region. This support has been communicated through consultation undertaken during the review of the operative RPS and the preparation and release of the Draft RPS. These policies recognise and provide for the special relationship Māori have with their natural and physical resources of significance. This is identified as a matter of resource management significance in almost all iwi and hapū resource management plans lodged with the regional council.</p> <p>Implementing this policy option is considered effective as it demonstrates genuine consideration of iwi and hapū values and relationships regionally and their ongoing support for these provisions throughout the Proposed RPS policy development process.</p>		<p>It is considered that there are Maori cultural benefits arising from this policy, as it guides resource management decision-making where an assessment of Maori culture and traditions is necessary in relation to section 6(e) of the Resource Management Act 1991. However, because the nature of Proposed Change No.1 is aimed principally at integrating administrative matters, the degree to which this policy can claim to give rise to such benefits are not considered to be significant.</p> <p>Where a proposed subdivision, use or development may have adverse cultural effects measures to avoid adverse effects need to be identified. Where avoidance is not practicable measures to remedy or mitigate potential adverse cultural impacts will need to be identified.</p>		

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 8 - Recognising matters of significance to Maori</p>	<p>Historic heritage includes sites of significance to Māori, including waahi tapu and surroundings associated with natural or physical resources. The policy option involves recognising that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, Waahi Tapu and other taonga. It also requires having special consideration to Māori culture and traditions where these are relevant to a particular proposal.</p> <p>This policy is effective, in that it streamlines and combines several existing Māori culture and traditions policies from the current operative RPS (i.e. policies 5.3.2(b)(i) – 5.3.2(b)(vi)) that together recognise the relationship of Māori and their culture and traditions with their ancestral land and sites, waahi tapu and other taonga which comprise historic heritage and outstanding natural features and landscapes in the region.</p> <p>All policies have received strong support from iwi and hapū across the region. This support has been communicated through consultation undertaken during the review of the operative RPS and the preparation and release of the Draft RPS. These policies recognise and provide for the special relationship Māori have with their historic heritage identified as an issue of resource management significance in almost all iwi and hapū resource management plans lodged with the regional council.</p>	High	<p>This policy option recognises and provides for a fundamental principle of the heritage criteria that when an assessment of Maori culture and traditions is required only Maori can assert their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. Option 6 recognises and provides for section 6(e), 7(a) and 8 matters.</p> <p>It is considered that there are Maori cultural benefits arising from this policy, as it guides resource management decision-making where an assessment of Maori culture and traditions is necessary in relation to historic heritage or outstanding natural features and landscapes. However, because the nature of Proposed Change No.1 is aimed principally at integrating administrative matters, the degree to which this policy can claim to give rise to such benefits are not considered to be significant.</p>	<p>It is difficult to assess, with certainty, the public and private compliance costs arising from this policy. There may costs associated with consulting Maori where an assessment of Maori culture and traditions is necessary in relation to historic heritage and outstanding natural features and landscapes (in plan change and resource consent processes). However, it is considered that this is a duty implicit in sections 6(e), 7(a) and 8 of the RMA and this policy merely clarifies this. In isolation this policy option is unlikely to result in any additional private compliance costs.</p>	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Implementing this policy option is considered effective as it demonstrates genuine consideration of iwi and hapū values and relationships with historic heritage regionally and their ongoing support for these provisions throughout the Proposed RPS policy development process.</p>				
Guidance option					
<p>Option 9 – Taking an interagency approach to protection</p>	<p>This policy option could be effective if all relevant agencies with various responsibilities for historic heritage and Maori cultural values commit to this non regulatory action.</p> <p>There is no certainty these non-regulatory actions will be achieved and can be appropriately resourced.</p> <p>May not be effective in influencing private developments, as they largely rely on collaboration and cooperation.</p> <p>Some values, particularly ecological, geological, cultural and historic heritage values may extend across jurisdictional boundaries. Both sides of a particular value need protection, and this should be coordinated between relevant district and regional councils to be effective.</p>	<p>Medium</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Coordinated approaches to the protection of historic heritage and Maori cultural values can generate greater community buy in and ongoing support, where effective. However, these processes often require various resourcing from management authorities long term commitments and therefore certainty are difficult to attain. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ Potential cost savings through efficiencies from shared use of resources. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Allows for flexibility of approach rather than imposing regulatory policies. Can increase awareness about the importance of historic heritage and Maori cultural values. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Limited environmental costs associated with this non-regulatory policy option. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are organisational and resourcing costs to facilitate this package of non-regulatory policy options. Effort is required to establish landscape protection guidelines, coordinated efforts towards the protection of historic heritage and Maori cultural values. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Potential for conflict and strained relations with other agencies, community and landowner groups if coordination efforts have different levels of cooperation, resourcing and energy input and lack of tangible results. 	<p>Yes</p>
Do Nothing					
<p>Option 10 – No intervention</p>	<p>Unlikely to address issue for historic heritage and Maori cultural values if there are no policies or methods in place to achieve the objective. This option would therefore not be effective.</p>	<p>Low</p>	<ul style="list-style-type: none"> ▪ Economic costs would be saved through not having to implement policies or methods. ▪ Local authorities are able to work with their communities to identify on a case-by-case basis what types of historic heritage and 	<ul style="list-style-type: none"> ▪ It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Act. 	<p>No</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the RMA.		Maori cultural resources and values are important, and what, if any, resource management intervention is required, without a predetermined regional policy direction.	<ul style="list-style-type: none"> ▪ Local authorities would have to formulate their own approach and response to the issue. 	

7.3 Results of evaluation as to the most appropriate policy and method options to achieve objective 21

Policy and method options	Factors contributing to effectiveness ⁵	Efficient?	Selected (most appropriate) option(s)(tick or cross)	Proposed policies and methods
Broad direction to district and/or regional plans				
Option 1 – Direct plans to identify and protect cultural sites in the region	Med	No	X	N/A
Option 2 – Direction via a schedule of sites of cultural significance within the Regional Policy Statement	Med	No	X	N/A
Specific direction on matters to be given particular regard to, in resource management decision making				
Option 3 – Give priority to matters of national importance	High	Yes	✓	Policy MN 1B methods 3, 9, 10, 42, 55 and 56
Option 4 – Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act	High	Yes	✓	Policy MN 3B and methods 3, 9, 10 and 42
Option 5 – Using criteria to assess appropriateness of development	High	Yes	✓	Policy MN 7B and methods 3 and 9
Option 6 – Managing effects of subdivision, use and development	High	Yes	✓	Policy MN 8B and methods 3 and 9
Option 7 – Avoiding adverse effects on matters of significance to Maori	High	Yes	✓	Policy IW 5B and method 3, 9, 10 and 42
Option 8 - Recognising matters of significance to Maori	High	Yes	✓	Policy IW 2B and method 3, 10 and 42
Guidance				
Option 9 – Taking an interagency approach to protection	Low/Med/High	Yes	<input type="checkbox"/>	Policy IR 9D and methods 29, 44 and 55
Do nothing				
Option 10 – No intervention	Med	Yes	X	N/A

7.3.1 Discussion on selected options

A mix of specific directive policy options, (to develop targeted policies directing district and regional plans and resource management decision making), and guidance options, (to provide an interagency approach and assist in that regulatory work), is the most appropriate way to achieve objective 21 and address the relevant matters of national importance regionally significant resource management issues.

⁵ Effectiveness becomes the net value of an assessment of the relative difference between options in terms of their ability to influence or deliver intended outcomes.... The have great or widespread effect vs being of marginal or limited effect.

Options 1 and 3 are essentially the same, except Option 3 is considered more effective and efficient as it also includes application of the Appendix F set 4 criteria in resource consents, heritage order or designation processes. Options 1 and 3 involve using a specified set of criteria for determining the values associated with sites of cultural significance. The environmental and social benefits of identifying the values associated with sites of cultural significance using a set of consistent criteria outweigh the economic costs of doing so.

Option 2 to include a schedule of sites of cultural significance in the regional policy statement, and require plans to protect these sites is not selected, even though it was determined to be highly effective, as it is considered inefficient in terms of the weighing of benefits and costs it delivers, particularly in comparison with the alternative options (which is to require option 3 in conjunction with options 4, 5, 6, 7, 8 and 9). Identification of *all* sites of cultural significance in the RPS (i.e. Option 2) is assessed as being less efficient, because the cost of identification and the level of community and tangata whenua engagement would be very high at a regional scale.

The territorial authorities are better placed to undertake this consultation rather than the Bay of Plenty Regional Council alone. Particularly as district councils control subdivision and most land use development through their district plans. The social and economic costs would be less overall if the identification occurred at a local level.

Options 3 to 5 work in combination through requiring specified RPS criteria. Appendix F (policies MN 1B and MN 3B and method 3) than Appendix G (policy MN 7B and method 3) to be applied in order to identify what sites of cultural significance warrant recognition and provision for as matters of national importance, and then to assess whether the proposal is inappropriate or not.

Options 6, 7 and 8 provide for other considerations specific to iwi resource management to occur in tandem including avoiding, remedying and mitigating potential adverse effects with emphasis placed on avoiding adverse effects (policy MN 8B and methods 3 and 9) and affording priority to the protection of those areas, places, features or values (i.e. option 3 being policy MN 1B and methods 3, 9, 10, 42, 55 and 56). Options 7 and 8 promote specific considerations in respect to section 6(e) matters which have received strong support from iwi and hapū. Option 8 streamlines and combines existing policy provisions within the current operative RPS.

Option 9 involves guidance actions to achieve objective 21. This includes policy IR 9D: Taking an inter-agency approach to protection; method 29: Provide information about the roles of agencies and obligations; method 44: Prepare non-regulatory landscape protection guidelines – western Bay of Plenty sub-region; and method 55: Encourage other agencies to protect key sites. The combination of guidance actions will help to promote objective 21. It is important that tangata whenua be involved in the identification and protection of sites of cultural significance to them.

There are costs involved in the preparation and distribution of information to help interpret the criteria, as well as community and tangata whenua consultation. However, these costs are modest compared with the benefits.

The guidance policy and supporting methods are not anticipated to act in isolation, as they are most effective when developed to support and supplement the implementation of the specific directive options 3, 4, 5, 6, 7 and 8. Option 8 is also selected as it assists with the implementation of options 3, 4, 5, 6 and 7.

Option 10 is to do nothing. There is a high risk of further degradation to the relationship of Māori and their culture and traditions with their ancestral lands, water and sites of significance if no action is taken. This is not effective resource management. Nor could it be argued to be efficient, given the issue would continue unabated, and presumably would lead to increasingly unsustainable environmental outcomes, resulting in economic, social and environmental costs. The wellbeing of the community would not be supported. As the issue has been found to be regionally significant (refer to criteria in appendix 2), doing nothing would be a dereliction of function and duty under the Act.

A mix of directive and guidance options, that includes options 3, 4, 5, 6, 7, 8 and 9 (policies MN 1B, MN 3B, MN 7B, MN 8B, IW 5B, IW 2B and IR 9D and methods 3, 9, 10, 29, 42, 44, 55 and 56) in combination, are considered the most appropriate means to achieve objective 21 and to address the regionally significant resource management issues for matters of national importance.

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

Section 32(4)(b) of the Act requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

There is both uncertain and insufficient information about the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. It is also fair to say there is insufficient information within the region to enable communities to prioritise their aims and needs in terms of recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga other than the imperative provided for in section 6(e) of the Resource Management Act.

The risk of acting in the way proposed is that some costs will be imposed on local authorities and applicants for resource consents and through plan change processes, potentially for little gain in some instances. These costs are acknowledged as

The risk of not acting in the way proposed is that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga will continue to be addressed inconsistently and in an ad hoc way, and this important issue may not be identified as a pertinent consideration in some instances of resource management decision making where it ought to be included, and will therefore not be provided for appropriately. At best this will mean that territorial authorities, communities and individuals will not be able always to make informed choices in relation to Māori culture and traditions. At worst, there may be a continued and even accelerated decline in the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, or it could continue to be provided for in places where people cannot take advantage of it.

The risk to the Bay of Plenty region's community and future generations are clearly of acting is much less than the risk of not acting

8 Evaluation of policy and methods to achieve Objective 22

8.1 The range of policy and method options considered

The appropriateness of the policies and methods to achieve Objective 22 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

8.1.1 Range of policy and method options considered

Objective 22: The coastal marine area, lakes and rivers are generally accessible to the public.

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

This assessment of policy options to achieve Objective 22 over and above the alternatives assessed in relation to and presented within the section 32 reports relating to iwi resource management and the coastal environment. This evaluation should therefore be considered in conjunction with those other section 32 reports as they contain further information pertinent to addressing public access to and along the coastal marine area, lakes and rivers.

8.1.2 Broad direction to district and/or regional plans

Option 1 Direction to district plans to enhance public access to and along the coastal marine areas, lakes and rivers

This option requires district plans to enhance public access to and along the coastal marine area, lakes and rivers.

Option 2 Direction to district plans to enhance public access to areas of the coastal marine area, and to lakes and rivers with significant values

This option requires district plans to enhance public access to and along the coastal marine area, and lakes and rivers with significant values.

8.1.3 Specific direction on matters to be given particular regard to, in resource management decision making

Option 3 Give priority to matters of national importance

This option requires resource management decision making processes (i.e. plans and resource consents) to identify which historic heritage and natural features and landscapes should be afforded priority for protection.

Option 4 Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act

This option requires resource management decision making processes (i.e. plans and resource consents) to use specific criteria for assessing each matter of national importance when determining the extent to which decision makers must recognise and provide for each of the specified section 6 matters of national importance.

Option 5 Using criteria to assess appropriateness of development

This option requires resource management decision making processes (i.e. plans and resource consents) to assess, using specific criteria, whether subdivision, use and development is inappropriate with regard to matters of national importance (i.e. natural character, outstanding natural features and landscapes, significant indigenous vegetation and habitats of indigenous fauna, public access, Maori culture and traditions, and historic heritage) considered to warrant protection under section 6 of the Act.

Option 6 Managing effects of subdivision, use and development

This option requires resource management decision making processes (i.e. plans and resource consents) to avoid, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with option 3 above as warranting protection under section 6 of the Act.

Option 7 Recognising matters of significance to Maori

This option requires resource management decision making processes (i.e. plans and resource consents) to recognise and provide for specific matters of significance to Maori including:

- traditional Maori uses and practices relating to natural and physical resources such as mahinga mātaītai, waahi tapu, papakainga and taonga raranga.
- the role of tangata whenua as kaitiaki of their resource.
- the Manawhenua relationship of tangata whenua with, and their role of kaitiaki of, characteristics of the natural environment.
- sites of cultural significance identified in iwi and hapu management plans.
- that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Option 8 Encouraging and restricting public access to and along the coast, lakes and rivers

This option requires resource management decision making processes (i.e. plans, resource consents, designations and heritage orders) to recognise and provide for specific matters pertaining to public access considerations including situations where public access should be encouraged or restricted.

8.1.4

Do nothing

Option 9 No intervention

In this option, there is no intervention, either regulatory or non-regulatory, to maintain and enhance public access to and along the coastal marine areas, lakes and rivers.

8.1.5 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 22

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Broad direction to district and/or regional plans					
<p>Option 1</p> <p>Direction to district plans to enhance public access to and along the coastal marine area, lakes and rivers</p>	<p>Establishes a clear and consistent policy framework within which to develop regulatory provisions and/or actions within plans; requires all pertinent plans to enhance public access at any opportunity there is to do so.</p> <p>Provides certainty that public access is important and benefits the region. However, lacks guidance as to how to prioritise or differentiate as to where and how best to enhance public access.</p> <p>Promotes greater certainty for individual applicants, the community of interested parties, and for councils about what the intent of the policy is.</p> <p>Increases the ability to critique provisions and rationale/s within plan making processes</p> <p>Changes to district plans however, would not need to be made until a plan was next reviewed, so effect would be delayed.</p> <p>Sets out the principles to be applied, but specific decisions would still be determined at the local level.</p> <p>Repeats the statutory requirements in the Resource Management Act (esplanade reserves - sections 229, 230, 231, 232). District plans should create the rule.</p>	Med	<p>Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>Establishes a clear intent – this assists territorial authorities in establishing local regulatory frameworks.</p> <p>Provides information for the community about when public access is not appropriate</p> <p>The direction is targeted and clearly attributed to a regionally significant issue – helping to reduce time, money and other resources on process.</p> <p>Less conflict, debate or contesting of the advantages and disadvantages of particular planning responses or proposals, as like or similar proposals are able to be categorised and the likely resource management responses are indicated generally, which helps to reduce conflict.</p> <p>The community as a whole agrees to various enhancement mechanisms through the plan making process.</p> <p>Discourages ad-hoc development.</p> <p>Provision would be applied district wide, so less information is required for individual consent applications.</p>	<p>On-going implementation costs for councils – to investigate, implement, to monitor compliance, to take enforcement action, to monitor delivery and environmental outcomes to enable an evaluation of the effectiveness of the intervention.</p> <p>The cause-effect relationship is direct and clear and the costs of any remedy are able to be attached directly to specific activities.</p>	No

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 2 Direction to district plans to enhance public access to lakes and rivers with significant values</p>	<p>Establishes a clear and consistent policy framework within which to develop regulatory provisions and/or actions within plans; requires all pertinent plans to enhance public access whenever there is an opportunity to improve access to areas identified as having significant values.</p> <p>Provides certainty that public access is important and benefits the region, particularly when it is to areas with significant values. However, this option still lacks guidance as to how these areas of significant value will be identified. This option would need to be associated with other options throughout the policy statement that seek to identify significant values, of relevance to ‘public access provisions’, particularly as these relate to the coastal marine area, and rivers and lakes.</p> <p>This options, is still limited in its guidance as to how best to enhance public access.</p> <p>Promotes greater certainty for individual applicants, the community of interested parties, and for councils about what the intent of the policy is.</p> <p>Increases the ability to critique provisions and rationale/s within plan making processes</p> <p>Repeats the statutory requirements in the Resource Management Act (esplanade reserves - sections 229, 230, 231, 232). District plans should create the rule.</p>	<p>High</p>	<p>Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the region which describes the benefits to the region.</p> <p>Establishes a clear intent – this assists local authorities in establishing local regulatory frameworks.</p> <p>Provides information for the community about prioritising where public access ought to be enhances, and so helps to expedite the statutory processes.</p> <p>The direction is targeted and clearly attributed to a regionally significant issue – helping to reduce time, money and other resources on process.</p> <p>Less conflict, debate or contesting of the advantages and disadvantages of particular planning responses or proposals, as like or similar proposals are able to be categorised and the likely resource management responses are indicated generally, which helps to reduce conflict. Increased clarity and certainty for everyone.</p> <p>The community as a whole agrees to various priorities for enhancing public access, and on how best to ‘enhance’.</p>	<p>On-going implementation costs for councils – to investigate not only areas of significance, but suitability and feasibility for ‘enhancing’ access, taking into account the needs of each of the ‘significant values’ in turn.</p> <p>Costs associated with implementation of not only the regulatory framework, but the ‘enhancement’ works, to monitor compliance, to take enforcement action, to monitor delivery and environmental outcomes to enable an evaluation of the effectiveness of the intervention.</p> <p>The cause-effect relationship is direct and clear and the costs of any remedy are able to be attached directly to specific activities.</p>	<p>No</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p>Discourages ad-hoc development.</p> <p>Positive social and environmental benefits to creating opportunities for access in district plans.</p> <p>Prescriptive but repetitive given that district plans should make provision for the creation of esplanade land, to recognise and provide for public access as a matter of national importance.</p> <p>Leaves considerable discretion, locally, as to what other mechanisms might be available or apply, to 'enhance' public access</p>		
Specific direction on matters to be given particular regard to, in resource management decision making					
<p>Option 3 – Give priority to matters of national importance</p>	<p>Would provide certainty that where public access resources have been identified and assessed as warranting recognition and provision for as matters of national importance that priority shall be had to maintaining and enhancing those areas, places, features and values.</p> <p>Promotes consistency in resource consents processes and a consistent regional and district plan framework for the development of consent conditions, policies, rules and methods pertaining to the region's public access resources.</p> <p>Effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to public access considerations under section 6(d) the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where public access policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p>	High	<p>This policy option promotes a coordinated and integrated approach to the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers within the region. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of the objective. These benefits include:</p> <p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with public access under section 6(d) in resource consents and plan change processes. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. 	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>This policy option is more effective than options 1 and 2 because it applies to resource consents in addition to plan change processes and assists in achieving objective 23 and a coordinated and integrated approach to the maintenance and enhancement of public access in a way consistent with the purpose of the Act.</p>		<ul style="list-style-type: none"> ▪ Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community's quality of life, cultural values, sense of places, historical linkages and spiritual renewal. ▪ The regional and each district community agrees to the associated protection or restrictions through the plan making process. ▪ Provides some certainty for community & developers as to what public access resources are to be afforded priority for maintenance and enhancement through plan and resource consents provisions. 	<ul style="list-style-type: none"> ▪ Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps. Process could be contentious. ▪ Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified public access resources. Process could be contentious. ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans and resource consent applicants would be required to implement the policy and therefore incur the costs. ▪ There are potential opportunity costs for affected landowners, developers or those undertaking activities, although these may be offset by opportunities associated with establishing clear and certain provisions within which to plan development in areas not affected. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about a lot of particular values and in relation to many sites. 	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 4 – Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act</p>	<p>This option is considered effective as it promotes consistency in resource consents and regional and district plan processes to support the identification and understanding the region's public access resource.</p> <p>This option is effective in setting out criteria to be applied for assessments in resource consents and plan change processes specific to public access considerations under section 6(d) the extent to be determined at the region wide and district levels.</p> <p>Effective in that it will provide certainty regarding where public access policies apply and where they do not.</p> <p>Gives effect to NZCPS policies 1.1.3, 2.1.1 and 2.1.2.</p> <p>This policy option is more effective than options 1 and 2 and works in tandem with option 3 and applies to resource consents and plan change processes and assists in achieving objective 23. This option assists in promoting a coordinated and integrated approach to the identification of the region's public access resource in a way consistent with the purpose of the RMA.</p>	High	<ul style="list-style-type: none"> ▪ This policy option promotes the use of consistent criteria for assessing public access values in resource consents and plan change processes. It is difficult to assess, with certainty, the environmental, social, economic and cultural benefits resulting from this policy option. ▪ However, there are likely to be some long term environmental, social, cultural benefits from the contribution made towards the achievement of objective 22. These benefits include: <ul style="list-style-type: none"> <u>Environmental</u> <ul style="list-style-type: none"> ▪ Provides a consistent framework for assessing values associated with public access in resource consents and plan change processes. ▪ Provides some certainty over which areas have values that must be recognised and provided for as matters of national importance and are subject to certain restrictions. <u>Social</u> <ul style="list-style-type: none"> ▪ Social and cultural benefits by contributing to the regional community's quality of life, cultural values, sense of places, historical linkages and spiritual renewal. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> ▪ Environmental values may be compromised through inconsistent application of the criteria between districts. Risk considered medium. <p><u>Economic</u></p> <ul style="list-style-type: none"> ▪ There are significant economic costs for councils, developers, consent applicants and communities associated with policy development and implementation, including costs of region/district wide research and investigations, analysis, interpretation, consultation, governance and decision making processes to formulate, establish and implement the consequent regulatory framework, which must be designed so as to give effect to the regional policy statement. ▪ Substantial cost of interpreting and applying the criteria and defining the effected land on planning maps and in resource consents processes. These processes could be contentious and protracted. ▪ Substantial cost of interpreting and applying the criteria in case by case basis for resource consents where district or regional plans have not yet identified public access resources. Process could be contentious and protracted. 	Yes

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<ul style="list-style-type: none"> ▪ High probability there will remain regional and district community agreement to apply the heritage criteria during resource consents and plan making processes. ▪ Provides some certainty for community & developers as to what public access resources are to be afforded priority for protection through plan and resource consents provisions. 	<ul style="list-style-type: none"> ▪ Potentially higher costs to least resourced district councils with least amount of subdivision and development pressure. ▪ District plans and resource consent applicants would be required to implement the policy by using experts to use and apply the criteria and therefore incur the costs. <p><u>Social</u></p> <ul style="list-style-type: none"> ▪ There are potentially high social costs when engaging the community in consultation about their relationship and values (e.g. associative) in relation to public access. 	
<p>Option 5 – Using criteria to assess appropriateness of development</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to well informed and more consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent.</p> <p>Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p>	<p>High</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent to considerations and what is not.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p>		<p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and the rationale as to how decisions were made will be available. This improves transparency in the process, which further helps inform and guide future proposals, and thus improves the ability to develop appropriate solutions or responses.</p> <p>Being able to identify the concerns and likely responses allows efforts to find solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop towards arresting the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion and innovation within the response to matters, on a case by case basis.</p>	<p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and/or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p> <p>Individual proposals or applications act as pilots or trials as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 6 – Managing effects of subdivision, use and development</p>	<p>This policy option is considered effective as it requires specific direction that adverse effects on matters of national importance (including public access) be avoided, and where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development. This option works in tandem with options 3 and 4, on matters of national importance.</p> <p>Values and places assessed as warranting recognition and provision for as matters of national importance using criteria consistent with those in the Appendix F criteria shall be prioritised in order of firstly avoiding potential effects on them. If avoidance of potential adverse effects isn't achievable than effects should be remedied or mitigated. The criteria in Appendix F assist in identifying elements of the environment that may be so affected. An assessment is to be in such detail as corresponds with the scale and significance of the effects.</p> <p>Not all activities will affect matters of national importance, and applicants and decision makers will accordingly have to exercise judgement about what is necessary to include in the assessment of environmental effects.</p>	<p>High</p>	<p>A key benefit is there is little risk these recently operative Change No. 1 (Criteria) provisions to the RPS will be subject to successful challenge through the Environment Court as there have been no relevant amendments to the Resource Management Act 1991 which make them inconsistent.</p> <p>The environmental, social, cultural and economic benefits are essentially the same as those for option 3 and 4 above, as these policy options work in mutually together in order to achieve objective 23.</p>	<p>The environmental, social, cultural and economic costs are essentially the same as those for options 3 and 4 above, as these policy options work in mutually together in order to achieve objective 22.</p>	<p>Yes</p>
<p>Option 7 - Recognising matters of significance to Maori</p>	<p>Public access to and along the coastal marine area, lakes, rivers and their margins is a matters of significance to Māori. Access can enhance cultural relationships and connections to culturally significant sites, including waahi tapu and surroundings associated with natural or physical resources such as mahinga mataitai and Tauranga waka. The policy option involves</p>	<p>High</p>	<p>This policy option recognises and provides for a fundamental principle of the heritage criteria that when an assessment of Maori culture and traditions is required only Maori can assert their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi</p>	<p>It is difficult to assess, with certainty, the public and private compliance costs arising from this policy. There may costs associated with consulting Maori where an assessment of Maori culture and traditions is necessary in relation to historic heritage and outstanding natural features and landscapes (in</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>recognising that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, Waahi Tapu and other taonga. It also requires having special consideration to Māori culture and traditions where these are relevant to a particular proposal.</p> <p>This policy is effective, in that it streamlines and combines several existing Māori culture and traditions policies from the current operative RPS (i.e. policies 5.3.2(b)(i) – 5.3.2(b)(vi)) that together recognise the relationship of Māori and their culture and traditions with their ancestral land and sites, waahi tapu and other taonga which comprise historic heritage and outstanding natural features and landscapes in the region.</p> <p>All policies have received strong support from iwi and hapū across the region. This support has been communicated through consultation undertaken during the review of the operative RPS and the preparation and release of the Draft RPS. These policies recognise and provide for the special relationship Māori have with their historic heritage identified as an issue of resource management significance in almost all iwi and hapū resource management plans lodged with the regional council.</p> <p>Implementing this policy option is considered effective as it demonstrates genuine consideration of iwi and hapū values and relationships with historic heritage regionally and their ongoing support for these provisions throughout the Proposed RPS policy development process.</p>		<p>tapu and other taonga. Option 7 recognises and provides for section 6(e), 7(a) and 8 matters.</p> <p>It is considered that there are Maori cultural benefits arising from this policy, as it guides resource management decision-making where an assessment of Maori culture and traditions is necessary in relation to historic heritage or outstanding natural features and landscapes.</p> <p>However, because the nature of Proposed Change No.1 is aimed principally at integrating administrative matters, the degree to which this policy can claim to give rise to such benefits are not considered to be significant.</p>	<p>plan change and resource consent processes). However, it is considered that this is a duty implicit in sections 6(e), 7(a) and 8 of the Act and this policy merely clarifies this. In isolation this policy option is unlikely to result in any additional private compliance costs.</p>	

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 8 – Encouraging and restricting public access to and along the coast, lakes and rivers</p>	<p>Sets out direction, and adds guidance above and beyond what is required in the Resource Management Act 1991 and what is required by the New Zealand Coastal Policy Statement.</p> <p>Clarifies the intention, and priority in specifying the relationship with other policies within the RPS needing to be considered for prioritising where or how to enhance or restrict public access.</p> <p>Other policies within the policy statement, will be identifying and seeking to protect significant values, including in the coastal marine area and alongside rivers and lakes – a direction to enhance public access to any/all areas, might run counterproductive to efforts to protect significant values.</p> <p>Will result in confusion about relevant policies across the Regional Policy Statement and what ones should be applied.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent. Transparent as to how these matters are to be treated in decision making. Improves understanding and enhances equity within resource management activity.</p> <p>The intervention may only be triggered for certain resource consent applications (where discretion is retained over such issues), which means a different set of benefits and costs to those arising from application at the plan making stage.</p> <p>Gives effect to NZCPS policies 3.5.1, 3.5.2& 3.5.3</p>	<p>High</p>	<p>Provides a consistent framework with regard to ‘considerations’ across the region.</p> <p>Allows for discretion and thus variation in interpretation and implementation.</p> <p>The management responses can be adapted to the specific proposal under consideration.</p> <p>While certain triggers or prompts demand certain considerations must be made, the responses or action that results is less certain than specific direction as to matters to be addressed by plans.</p> <p>The resource management response is less predictable or formulaic as might be anticipated under the earlier direction to district plans options, as decision makers exercise discretion in how they respond to considerations. This option allows for greater variance within the management response, to the triggers presented within a proposal.</p> <p>The benefits are higher than in option 1 and 2, as the requirements are not as directive or strong so the requirement to “consider” allows each proposal public access values context to be evaluated and appropriate public access enhancement or restriction mechanisms devised, in response to the specific circumstances.</p>	<p>Cost would be borne more by some proposals due to the activity status of applications and the matters discretion and control is reserved over.</p> <p>Costs of investigations, justifications and addressing particular matters which are site specific are borne by the applicant.</p> <p>Costs lie more with the developer as applications have to address matters specifically on a case by case basis.</p> <p>Costs will be borne by councils as they must secure sufficient information pertinent to undertaking the required considerations, within decision making processes.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p>	<p>Yes</p>

Selected option	Analysis of effectiveness	Effectiveness rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Do Nothing					
Option 9 – No intervention	<p>Unlikely to address issue for public access if there are no policies or methods in place to achieve the objective. This option would therefore not be effective.</p> <p>As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the Act.</p>	Low	<p>Economic costs would be saved through not having to implement policies or methods.</p> <p>Local authorities are able to work with their communities to identify on a case-by-case basis what types of public access resources and values are important, and what, if any, resource management intervention is required, without a predetermined regional policy direction.</p>	<p>It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Act.</p> <p>Local authorities would have to formulate their own approach and response to the issue.</p>	No

8.2 Results of evaluation as to the most appropriate policy and method options to achieve objective 22

Policy and method options	Factors contributing to effectiveness ⁶	Efficient?	Selected (most appropriate) option(s)(tick or cross)	Proposed policies and methods
Broad direction to district and/or regional plans				
Option 1 – Direction to district plans to enhance public access to and along the coastal marine area, lakes and rivers	Med	No	X	N/A
Option 2 – Direction to district plans to enhance public access to lakes and rivers with significant values	Med	No	X	N/A
Specific direction on matters to be given particular regard to, in resource management decision making				
Option 3 – Give priority to matters of national importance	High	Yes	✓	Policy MN 1B methods 3, 9, 10, 42, 55 and 56
Option 4 – Using criteria to assess values and relationships in regard to section 6 of the Resource Management Act	High	Yes	✓	Policy MN 3B and methods 3, 9, 10 and 42
Option 5 – Using criteria to assess appropriateness of development	High	Yes	✓	Policy MN 7B and methods 3 and 9
Option 6 – Managing effects of subdivision, use and development	High	Yes	✓	Policy MN 8B and methods 3 and 9
Option 7 - Recognising matters of significance to Maori	High	Yes	✓	Policy IW 2B and method 3, 10 and 42
Option 8 – Encouraging and restricting public access to and along the coast, lakes and rivers	High	Yes	✓	Policies MN 5B and MN 6B and methods 3, 9, 55, 56 and 57
Do nothing				
Option 9 - No intervention	Low	No	*	N/A

⁶ Effectiveness becomes the net value of an assessment of the relative difference between options in terms of their ability to influence or deliver intended outcomes.... The have great or widespread effect vs being of marginal or limited effect.

8.2.1 Discussion on selected options

The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance. It is highly desirable that existing legal and physical access is maintained and enhanced so people can continue to enjoy the areas they are currently able to access and their associated values. It is also important to facilitate and encourage the provision of additional, new public access where appropriate and as opportunities arise.

Coastal and freshwater resources and associated values have been compromised to varying degrees and extents, and the pressure of inappropriate subdivision, use and development is increasing. Access points and routes have not been specifically identified or recognised formally or informally in many areas. As such, there is a high risk of continuing loss and degradation of public access to the coastal marine area and to freshwater water bodies if no action is taken.

These factors lead to a planning response that utilises solely regulatory options, as the most appropriate option to achieve objective 22. That is, the options assessed to be the most appropriate, in terms of its effectiveness and efficiency is options 3, 4, 5, 6, 7 and 8 in combination.

Option 1 (to require district plans to include policies, rules and methods to enhance public access such as the taking of esplanade land for public access as part of subdivision of land, to and along the coastal marine area, lakes and rivers) is not the most appropriate because of the mandatory requirement in the Resource Management Act for the creation of esplanade land. Option 1 does not add any value by 'repeating' the provisions in the Act (such as sections 229-237). Option 1 is considered inefficient, as it would necessitate provisions to enhance public access to any and all areas associated with the coastal marine area, rivers and lakes, which would not necessarily lead to an 'enhancement' of public access, or the enjoyment by the public of the values associated with these places.

Similarly, Option 2, even though it would require district plans to enhance public access to 'significant' values, is not appropriate, as there is limited ability to guide territorial authorities in a generic way, about how best to balance the requirement for public access against the needs associated with the significant value/s identified as possibly candidates for enhanced access by the public. It is considered more appropriate, that local authorities engage communities, via the guidance option 5, it investigations to identify areas for improved public access.

Options 3 to 5 work in combination through requiring specified RPS criteria. Appendix F (policies MN 1B and MN 3B and method 3) than Appendix G (policy MN 7B and method 3) to be applied in order to identify what areas providing public access to and along the coastal marine area, lakes and rivers warrant recognition and provision for as matters of national importance, and than to assess whether the proposal is inappropriate or not.

Option 6 (policy MN 8B and methods 3 and 9) and option 7 (policy IW 2B and methods 3, 10 and 42) provide for other considerations specific to iwi resource management to occur in tandem to avoiding, remedying and mitigating potential adverse effects with emphasis placed on avoiding adverse effects and affording priority to the protection of those areas, places, features or values (i.e. option 3 being policy MN 1B and methods 3, 9, 10, 42, 55 and 56). Option 7 promotes specific considerations in respect to section 6(e) matters which have received strong support from iwi and hapū.

Option 8 promotes two policies relating to public access. Policy MN 5B provides criteria where priority shall be placed on attaining public access rights in appropriate circumstances. Conversely policy MN 6B provides criteria where public access should be restricted. This policy complies with policies of the New Zealand Coastal Policy Statement.

Option 9, to do nothing, is assessed as not being appropriate to achieve public access objective 22 and bearing very high risk of decreasing public access to significant values, even though the cost to applicants may be minimal.

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

Section 32(4)(b) of the Act requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

There is both uncertain and insufficient information about existing public access to and along the coastal marine area, lakes and rivers, and also about the particular areas values that may warrant active encouragement or restriction on the provision and enhancement of public access. For example, to be able to access historic heritage sites, sites of cultural significance, outstanding natural landscapes and areas of significant indigenous biodiversity values. It is also fair to say there is insufficient information within the region to enable communities to prioritise their aims and needs in terms of enhancing public access, other than the imperative provided for in Part II of the Act, relating to the coastal marine area, lakes and rivers.

The risk of acting in the way proposed is that some costs will be imposed on local authorities and applicants for resource consents and through plan change processes, potentially for little gain in some instances.

The risk of not acting in the way proposed is that the maintenance and enhancement of public access will continue to be addressed inconsistently and in an ad hoc way, and this important issue may not be identified as a pertinent consideration in some instances of resource management decision making where it ought to be included, and will therefore not be provided for appropriately. At best this will mean that territorial authorities, communities and individuals will not be able always to make informed choices in relation to public access. At worst, there may be a continued and even accelerated decline in public access, or it could continue to be provided for in places where people cannot take advantage of it.

The risk to the Bay of Plenty region's community and future generations are clearly of acting is much less than the risk of not acting.

Appendix 1 – Criteria used to determine regionally significant issues

The criteria used for determining whether an issue was a resource management issue of regional significance were:

- The issue was a natural or physical resource management problem.
- The issue was to be of regional significance (see further criteria below).
- The issue was about achieving the purpose of the Resource Management Act, 1991 (RMA).
- The issue did not “repeat” the RMA, the New Zealand Coastal Policy Statement, any other national policy, or another issue in the RPS.
- The issue was explained in the context of the Bay of Plenty region.

Regional significance was determined using the following criteria:

- The issue concerns a resource which is regionally significant, and the issue requires integrated management at a regional level ; and
- There is a potential shortage of the resource and resultant allocation issues; or
- There is a significant level of conflict over the resource which is either occurring or is foreseeable over the next 10 years; or
- The resource is potentially subject to significant adverse effects at a regional level; or
- There are significant issues in terms of Part 2 of the RMA which are or are likely to arise at a regional scale (e.g. maintenance and enhancement of access along waterways); or
- The community has signalled that it regards a particular issue as being of regional significance; or
- The issue is one of national significance (e.g. preservation of natural character) and requires regional intervention; or
- The issue is one of District significance but requires regional intervention; or
- The matter is one which a National Policy Statement or National Water Conservation Order requires to be addressed.

Appendix 2: References

- Department of Conservation (1994) New Zealand Coastal Policy Statement. Wellington. ISB 0-478-01589-S
- Environment Bay of Plenty (1999) *Operative Bay of Plenty Regional Policy Statement*.
- Environment Bay of Plenty (2003) *Operative Bay of Plenty Regional Air Plan*.
- Environment Bay of Plenty (1999) *Operative Rotorua Geothermal Regional Plan*.
- Environment Bay of Plenty (2003) *Operative Bay of Plenty Regional Air Plan*.
- Environment Bay of Plenty (2004) *Operative Regional Plan for the Tarawera River Catchment*
- Environment Bay of Plenty (1999) *Operative Bay of Plenty Regional Policy Statement*.
- Environment Bay of Plenty (2006) *Operative On-site Effluent Treatment Regional Plan*.
- Environment Bay of Plenty (2006) *The Ten Year Plan 2006 – 2016. Volumes 1 and 2*.
- Environment Bay of Plenty (2003) *Bay of Plenty Regional Pest Management Strategy 2003-2008*
- Environment Bay of Plenty (2004) *Regional Plan for the Tarawera River Catchment*
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- International Council on Monuments and Sites (ICOMOS) New Zealand (1993) ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value. Auckland. ISBN 978-0-908577-52-1
- Key Research (2007) *Attitudes and Perceptions towards the environment and Environment Bay of Plenty 2006*. Strategic Policy Publication 2007/01
- New Zealand Historic Places Trust (2007) Sustainable Management of Historic Heritage Guidance Series. Wellington. ISBN 0-473-03270-8