Te Papa Tipu Taunaki o Te Tairāwhiti -The Tairāwhiti Resource Management Plan

PartB: Regional Policy Statement



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B1 TANGATA WHENUA



The provisions of B1 are regional policy statement provisions.

Regional Policy Statement

Part B1 is operative.

B1.1 Involvement of Tangata Whenua in Resource Management – Introduction

This section includes the overarching provisions of the Tairāwhiti Plan (the Plan) relating to tangata whenua of the Gisborne region and their interests, aspirations and involvement in resource management. These overarching provisions are supported by more specific provisions embedded throughout the Plan relating to tangata whenua interests relating to particular resources, including freshwater, the coastal environment and air quality.

Māori make up 40% of the population of the district, are substantial landowners and have longestablished skills and customary practices in the management of environmental resources.

The tangata whenua of the Gisborne region include all the whanau hapu and iwi of the region, as represented by Marae Committees, Trust Boards, Incorporations, Iwi, Runanga, the Tairāwhiti District Māori Council, the Māori Women's Welfare League, the Tairāwhiti Federation of Māori Incorporations and other organisations:

- Ngati Porou
- Paikea
- Te Aitangi-A-Mahaki
- Rongowhakaata
- Ngai Tamanuhiri
- Nga Ari O Mangatu

- Ngati Kahungunu (Wairoa Taiwhenua)
- Whakatohea
- Ngai Tai
- Te Whenau Apanui
- Te Whanau a Te Ehutu
- Ngati Ruapani

In recognition that Māori and the Crown are Treaty partners, the RMA makes provision for a significant increase in the involvement of tangata whenua in resource management. It requires Māori values to be taken into account in the planning process and reflected in outcomes. Māori and their culture are given special recognition in the RMA in Sections 6, 7 and 8 as follows.

The Act requires that as a Matter of National Importance:

"... all persons exercising functions and powers under [the Act] shall recognise and provide for ... the relationship of Māori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga". [Section 6(e)].

Treaty of Waitangi

"... all persons exercising functions and powers under [the Act] ... shall take into account the principles of the Treaty of Waitangi [Te Tiriti o Waitangi]" [Section 8].

Consultation

"During the preparation of a policy statement or plan, the Council shall consult ... the tangata whenua of the area who may be so affected through iwi authorities". [First Schedule, Part I, Clause 3(1)(d)].

Kaitiakitanga

- "... all persons exercising functions and powers under the Act shall have particular regard to
- ... kaitiakitanga" [Section 7 (a)]

While the requirement to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is aimed essentially at achieving appropriate resource management outcomes (e.g. protection of waahi tapu), the other provisions referred to above relate more to the nature of the relationship that should be developed between Council and iwi and the way in which Council goes about exercising its responsibilities to Māori under the Act. Consequently, Council has dealt with the issues of significance to iwi authorities relating to the relationship of Māori with their ancestral lands, water, sites, waahi tapu, and other taonga in the resource-based and process sections in B2, B3, B4, B6 and B8 of the Plan.

The rest of this section provides background information on the principles of the Treaty of Waitangi, the concept of Kaitiakitanga and the significance of [Council's approach to] consultation in relation to the implementation of the Act's requirements.

B1.1.1 The Māori Environmental Resource Management System

B1.1.2.1 Te Timatanga (The beginning)

Ki te Māori kotahi tonu te wairua o nga mea katoa. Ko taua te paiheretanga o te ira tangata ki te ira atua o te taiao ki te orononui o lo.

Kei a to te uruta pu, te awe wairua. Ko lo te matua tuturu o nga mea pu, te awe wairua.

Ko lo te matua tuturu o nga mea katoa ko ia hoki te mahara te wananga te whiwhi o te katoa. Na lo te mataho i whakaputa nga atua, nga Rangi me ona kauhanga, te tuawhenua, te moana tae atu ki nga taonga katoa kei reira.

Ko lo te timatanga ka puta:

- Te Pu
- Te More
- Te Weu
- Te Aka
- Te Rea

Te Waonui Te Kune

- Te Kone
 Te Whe
- Te Kore
- Te Po

Ranginui – Papatuanuku

Te Whaiao – Te Ao Marama

Hokowhitu atu nga atua i puta i te wheiao ki ao marama; he tamariki katoa nga Ranginui raua ko Papatuanuku.

Tihei mauri Ora

Toitu te marae o Tane

Toitu te marae o Tangaroa

Toitu te iwi.

If the domain of Tane survives to give sustenance, and the domain of Tangaroa likewise remains, so too will the people.

Māori ideology and Māori identity come from the natural environment. When a Māori introduces him or herself in a situation where they are not familiar, they will generally introduce themselves in relation to their tribal boundaries, their turangawaewae with reference to their mountain, to the rivers from that mountain, to the lands adjacent to the mountain, to their tribe and then down to their hapu and marae, and thence out to their moana, the sea, into which their river flows.in the case of inland tribes, often a large lake. In the tribal consciousness the makers of the natural environment provide the identity.

B1.1.2 The Domains of the Environment from the Māori Perspective

The Māori ethic in relation to the environment grew from the creation of the world of light from the void.

ka po, ka ao, ka awatea

Life stemmed after the void, from Io-Matua-kore, the parentless one, who created the preval parents, Ranginui (male sky) and Papatuanuku (female earth) and from their union sprang some seventy atua or gods. The departmental atua became the first kaitiaki of the domains of the world of light, te ao marama, and presided over domains in the natural world.

Principle among them were:

- Tane mahuta-atua of the forests and all living things within them
- Tangaroa-atua of the fish in the sea and sea life
- Tu-matauenga-atua of war and guardian of the marae atea
- Tawhirimatea-atua of the winds and storms
- Ruaumoko-atua of earthquakes and volcanoes
- Haumiatiketike-atua of fern roots and other wild foods
- Rongomatane-atua of the sweet potato and of cultivated foods
- Tutewehiwehi the grandson of Tangaroa and the atua of amphibians and the inland water creatures.

B1.1.3 The Domains of Atua and the Māori Environmental Management System

The domains of Atua provide the linkages across resources giving a more holistic approach to environmental management. These linkages provide the basis for the Māori Environmental Resource Management System, which was fully developed and operational throughout Aotearoa at the arrival of the European.

That system of management was gradually replaced by the influence of colonisation, especially as a result of "christianising" Māori by missionaries. Elements of the system persist today, along with much of the ethos and ideology but with a marked reduction in practices. One major part of that system has persisted – albeit in an evolutionary form. That is the practice of Kaitiakitanga. The nature and function of kaitiakitanga will be explored in some detail in this Plan.

Recognition of Atua by Māori was achieved through the practice of karakia (prayer), kawa (protocol) and tikanga (practices). This regime of social controls maintained the integrity of Māori society and led to a sensitive environmental management system. Key to this was the concept of mauri.

Policies such as Nga Whenua Rahui, operating under the Department of Conservation offer financing for fencing and some pest controls for block owners who wish to covenant on a perpetual basis, reviewed every 25 years. This policy retains the ability of iwi/Māori to use cultural resources from the areas without compromising the integrity of the whole ecosystem.

The interface here is again between the rights embodied in the term tino rangatiratanga and the extent to which Government, or its delegated authorities, can limit or terminate those rights.

B1.1.4 Moana

Ko te moana ehara rawa i te wai kau.

- No Tangaroa ki tenei marae.
- He maha ona hua i ora ai nga manu o te rangi.
- Te iwi ki te whenua.

The sea is not only water, it is the marae of Tangaroa. It yields life for many things, the birds in the sky, the people on the land.

The moana for Māori, be it large bodies of fresh water or Te Moana-nui-a-kiwa, the open sea, derives its mana atua (divine authority) from Tangaroa who holds dominion over the sea. While the sea has an inherent quality of its own there are also utilitarian aspects which form the basis or the relationship between the sea and those who derive benefit from, and in turn care for it. The sea is the food basket of the iwi/hapu. As such, practices and elements that would defile the mauri and the mana of the sea are seen as abhorrent. The discharge of pollutants into the sea is an obvious example. Ngai Tamanuhiri have clearly indicated their concerns regarding these matters.

B1.1.5 Waiora A Tane

Water is a very significant resource to Māori, and plays a central role in both the spiritual and secular worlds.

The origins of water from a Māori viewpoint are central to Māori culture. In order to understand how water is an agent of bondage between the physical and spiritual worlds of the Māori, we need to understand the origins of water. Māori mythology gives voice to this. The creation myths tell Māori of the lineage of his or her unique relationship with the environment, and how the environment is perceived as the living, breathing, delicate source of life. Māori mythology also explains the connection that Māori have with the divine forces present in the environment, such as mauri.

Mauri in relation to water means life and living. It has the capacity to generate, regenerate and uphold creation. Because of this, all living things in the water and its environs (which include people), are dependent on its mauri for their well-being and sustenance. Hence, each water type is seen as a taonga (a highly prized possession) and is sacred due to the potential prosperity it can give to Māori associated with it. The mauri of each water-way is a separate entity and cannot be mixed with the mauri of another. There are clearly impacts of this within water pollution, agricultural spray, fertiliser run-off and effluent discharge, as expressed by Ngati Porou and Turanganui-a-Kiwa and other iwi/hapu/Māori horticultural areas of Gisborne.

Kaitiakitanga is inextricably linked to tino rangatiratanga and is a diverse set of practices that result in the sustainable management of a resource.

Kaitiakitanga involves a broad set of practices based on a world and regional environmental view. The root word is tiaki which includes the ideas and principles of:

- guardianship
- care
- wise management
- resource indicators, where resources themselves indicate the state of their own mauri .

The prefix kai denotes the agent by which tiaki is performed. Kaitiaki stands for a person(s) and/or other agents who perform the tasks of guardianship. Finally, the addition of the suffix tanga creates kaitiakitanga, or the practice of guardianship, with the provision that guardianship is used in the Māori sense and so is exercised by those who are genealogically linked to the resource.

Kaitiakitanga is practised through:

- the maintenance of waahi tapu, tupuna and other sites of importance
- the management and control of fishing grounds (mahinga maataitai)
- good resource management
- environmental protection through formal and informal processes such as the Waitangi Tribunal or protesting the dumping of raw sewage adjacent to waahi tapu and so on.

Kaitiaki can be iwi, hapu, whanau and/or individuals of the region. Whilst tribal authorities themselves may not be considered kaitiaki, they can represent kaitiaki and can help to identify them or those with authority to interpret the kaitiaki obligations.

Kaitiaki derive their role and function from their own relationship with a resource, not by appointment by any other agency.

B1.1.6 The Essence of the Māori Environmental Management System and its Application within the Resource Management Act

The goal of Māori environmental management is the maintenance of mauri through the exercise of kaitiakitanga. Sustainable management involves sustaining the mauri of natural, physical and metaphysical resources.

The Māori Environmental Resource Management System had been developed by a system of trial and error over at least one thousand years. It is based in the spiritual beliefs of Māori, starting from the belief and understanding of creation. In maintaining the mauri within the domain of atua, a set of cultural practices was developed and became the tikanga of tribal groups. There are some similarities of tikanga across tribes but also some significant differences or variations.

Tikanga used the concepts of tapu (sacredness or beyond common usage) and rahui (temporary restraint on use or timeliness of harvest) which are common to all tribes with variations on the way in which they used. Tikanga sought to unify the elements of all things in a holistic way so that there were not significant separations of:

- Te taha tinana the physical plane
- Te taha hinengaro the intellectual plane
- Te taha wairua the spiritual plane
- Te taha whanaunga the social and cultural plane.

The Māori Environmental Resource Management System is much more complex than this and tikanga is a developing process, able to adapt to modern circumstance from within the holistic and spiritual framework.

B1.1.7 The Treaty of Waitangi

The Treaty of Waitangi (Te Tiriti o Waitangi) was signed in 1840 by representatives of the Queen of England and about 500 Māori chiefs (including some 37 chiefs from tribes within the area that is now known as the Gisborne district). The Treaty contained three main parts:

<u>Article I</u>: The chiefs ceded sovereignty (Kawanatanga or "governorship") to the Crown.

<u>Article II:</u> The Crown guaranteed to protect the chief's absolute authority (te tino rangatiratanga) over their lands, villages and all possessions, including their taonga or treasures, as long as they wished to retain them.

Article III: Accorded Māori all of the rights and privileges of British subjects.

There were Māori and English versions of the Treaty.

The Treaty was written and signed in two versions, one in English which contained some 50 Māori signatures and a Māori version that was copied and taken around Aotearoa and Te Wai Pounamu and signed by approximately a further 500 Chiefs.

The Treaty was not taken to all areas for a variety of reasons, therefore many areas did not sign and were not first parties. It is accepted today that the Treaty is inclusive of all Māori and was a reconfirmation of pre-existing Māori rights so that even those tribes that were not signatories would not be deprived of the rights recognised in the Treaty. The Governance of New Zealand was to be, and is, universal to all inhabitants in all regions.

The Waitangi Tribunal and the courts have been involved in the identification and refinement of a set of principles which can be seen as reflecting the general intentions and spirit of the Treaty as it applies to today's society. At present, the Court of Appeal's principles are the only ones that have standing in law.

B1.1.8 The Principles of the Treaty

The principles of the Treaty of Waitangi that have been identified and are relevant to this statement [refer in particular to B1.3 of this Plan] are as follows:

The Kawanatanga (or Sovereignty) Principle

The Kawanatanga principle derives from the first Article of the Treaty which recognises the right of the Crown to make laws and to govern in accordance with constitutional process in exchange of rangatiratanga.

Under the RMA, the Crown has delegated to local authorities the ability to make rules with the status of law. In essence, local government – in this case, the Gisborne District Council – has the right to exercise Kawanatanga. However this is not an unconstrained right. It is subject to the protection of rangatiratanga.

The Tribal Rangatiratanga Principle

Recognition of this principle by the Waitangi Tribunal, the courts and by Government, derives from an acknowledgement by these bodies that, in return for ceding sovereignty to the Crown, Māori signatories of the Treaty were provided with an assurance in Article II, that their te tino rangatiratanga would be protected.

Te tino rangatiratanga refers to the right of iwi to retain control over their resources and taonga and to manage them in accordance with their customs and cultural preferences.

Rangatiratanga may, but does not necessarily require, ownership. It does, however, embody the right to use and control traditional resources.

Rangatiratanga was traditionally exercised, and to some extent is still exercised, through the use of customary rules relating to such matters as the conservation of fisheries.

The exercise of rangatiratanga is inextricably linked to the development and retention of mana.

Government has given recognition to rangatiratanga by providing, under the RMA, the capacity for Māori to actively participate in the management of resources and taonga. Rangatiratanga can be safeguarded by the Crown or public authorities by adopting appropriate plans and administrative arrangements. The latter can include the formal recognition of kaitiaki (see below) who would then be vested with mana, with their role upholding the mana of the people.

The Māori text of the Treaty of Waitangi refers to hapu, recognising that the local hapu group was a primary social and economic unit in Māori society. It is the hapu that has the authority to exercise rangatiratanga.

The means by which rangatiratanga should be exercised in respect of a particular resource can only be determined by the tangata whenua having mana over that resource. Some of the matters that could be discussed with the various hapu in the formulation of an appropriate planning strategy are set out below:

(1) The Rohe of Whanau Hapu

That area to which the hapu can claim mana whenua and mana moana. It would help to establish a map of the various whanau hapu and their respective rohe. The map does not need to have definitive boundaries. There may be an overlap in some areas. This would ensure that for a particular area or a resource issue, all the appropriate people are consulted.

(2) The Identification and/or Protection of Sites of Special Value

For example, waahi tapu, tauranga waka, taonga raranga, sites of spiritual, historical or cultural significance. Waahi tapu are cultural sites of spiritual value. While urupa (burial grounds) are obvious examples of waahi tapu there is a wide range of sites which can include tupapaku (burial caves), pa where battles have occurred, tauranga waka (sites where ancestral canoes have landed) and some mountains e.g. Hikurangi. Each whanau hapu has its own definition for their waahi tapu. Sometimes the existence and/or location is known only to the local people and to a few kaumatua.

Mahinga maataitai, areas where food resources from the sea are gathered, and taonga raranga, plants which produce material highly prized for use in weaving are characteristics of the Coastal Environment of special value to whanau hapu. Tangata whenua may wish these sites to be publicly identified, or they may prefer to retain the private recording of these sites amongst their own people. There are various means of identifying and protecting sites that need to be discussed with the whanau/hapu so that they can choose the most appropriate method for them.

(3) Iwi Planning Documents

The RMA requires Council to take into account any planning document recognised by an iwi authority. Tangata whenua may have prepared, or be preparing a planning document they wish the Council to consider. The Council need to be aware of any such documents or whether it can assist in their preparation.

(4) Use of Traditional Lands

Māori occupancy of land held in traditional multiple ownership should not be unnecessarily constrained through RMA planning documents. Living and working on their land is held as paramount to many Māori. This message was strongly conveyed to the Council that Māori did not want to be restricted in seeking their aspirations of maintaining the ability of their families to occupy and use their traditional lands.

The Council needs to consult with the respective hapu as to how their aspirations can be recognised and provided for while ensuring any adverse effects on the environment are avoided, remedied or mitigated. Such discussion can address whether the existing provisions are still appropriate.

(5) **Provision for, or Restriction of, Access**

In order to protect Māori cultural values it may be that general public access is not always appropriate and that there is a need for some restrictions to protect particular sites. If access over public land enables tangata whenua to visit sites of special value it should be provided or enhanced. The various hapu may wish access to be provided or restricted in accordance with their cultural values, where appropriate. This will be worked through on a site specific basis with the Council.

(6) **Resource Consent Applications**

The administration of the Tairāwhiti Plan should have involvement from tangata whenua. Consultation with the tangata whenua for the area in which subdivision, use, or development is proposed, will generally be required as part of the resource consent process for applications for activities with potential to affect the relationship of Māori with their ancestral lands or kaitiakitanga. Because of the statutory time constraints involved and the need for liaison with the local hapu, proposers of resource consent applications are strongly advised to consult with the tangata whenua for the area in question before any application is lodged with the Council. The application should include details of the consultation in accordance with the fourth schedule of the Act and should include evidence that tangata whenua have been consulted.

It is Council's intention, if approval is sought by an applicant for a resource consent in the Coastal Environment, to have the application treated as non-notified according to Section 94 of the RMA to consider the tangata whenua an adversely affected party in all circumstances. This means that the approval of the relevant hapu to waive notification would need to be obtained.

These procedures would require the Council to be able to advise potential applicants of the appropriate hapu they should contact. The procedure for consultation on consent applications should also include an acceptance by the Council that in cases where applicants can provide evidence to demonstrate that they have not been able to contact the appropriate hapu, or have not obtained any comment from them within what Council, in consultation with Iwi Authorities, considers to be a reasonable length of time, the Council may hear the application.

(7) **Protection of Sensitive Information**

Sites of cultural and spiritual importance to Māori are commonly recorded through the oral tradition and passed down to future generations in this manner. The information is frequently extremely sensitive and involves knowledge of Tapu concerning the sites. Māori are concerned that recorded information held by authorities other than their own opens these important sites to abuse and insensitive handling and fear that there are people who may hold Māori custom up for ridicule. The ownership and recording of this information is a major issue under the RMA. If Councils hold this information then it could become available to the public, yet Councils, if they are to fulfil the requirements of the Act concerning the protection of sites and values significant to Māori, must have access to information concerning the location of such sites.

The RMA does set out some protection of such sensitive information but only in the context of hearings held under the Act. Section 42 of the Act enables a local authority to make an order to prohibit or restrict the publishing or communication of any information supplied or obtained, in order to avoid serious offence to tikanga Māori or to avoid the disclosure of the location of waahi tapu.

It is the Gisborne District Council's intention to ensure that this provision of the RMA is utilised when dealing with such sensitive information.

The Partnership Principle

Both the Waitangi Tribunal and the Court of Appeal have found that the Treaty requires a partnership between two races and a duty to and a duty to act reasonably and in good faith.

According to the Tribunal, partnership involves ensuring that the needs of both Māori and the wider community are met. Extending the courtesy of early consultation, extending reasonable co-operation on issues of concern and involvement in decision-making are ways of achieving this.

The Crown has stated its position as follows:

"The Treaty is regarded by the Crown as establishing a fair basis for two people in one country.

Co-operation is an obligation placed on both parties to the Treaty. Reasonable cooperation can only take place if there is consultation on major issues of common concern and if good faith, balance and common sense are shown on all sides. The outcome of reasonable co-operation will be partnership".

The concept of "reasonable co-operation" has found support in the observations of the Court of Appeal:

"...the principles (of the Treaty) require the Pakeha and Māori Treaty partners to act toward each other reasonably and with the utmost good faith."

The partnership principle is of major significance in the Gisborne district.

The Principle of Active Protection

The principle of active protection comes from the guarantee of te tino rangitiratanga. It is a duty to protect Māori in the use of their lands and taonga to the fullest practicable extent.

Māori should be protected, as far as the Resource Management Act permits, from restrictions imposed by plans which prevent or limit them from using their lands and resources according to their cultural preferences. They should also be informed and supported in developing resource management strategies for the lands and resources, and in participation in the resource management process. Policies relating to Council's obligation to take into account the principles of the Treaty of Waitangi are set out in section B1.2 of the Plan.

B1.1.9 Recognition of Kaitiakitanga

Kaitiakitanga is defined, in the Act, as:

"kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship".

It is apparent, from the following quote, that this traditional Māori stewardship ethic has much in common with the "sustainable management" purpose of the RMA:

"Inherent in this concept (of kaitiakitanga) is the understanding that members of the present generation have a responsibility passed to them by preceding generations to care for the natural environment. Kaitiakitanga carries with it an obligation not only to care for the natural world, but also for each generation, by ensuring that a viable livelihood is passed on. Individuals, or tribal units, act as kaitiaki over particular resources and ensure that their use is consistent with tribal laws."

Kaitiaki are tangata whenua who have the authority to exercise the guardianship role on behalf of Māori.

Notwithstanding the definition in the Act, the concept of kaitiakitanga can mean different things to different iwi and hapu.

Kaitiakitanga is based on spiritual, social and economic associations with natural resources. The value placed by Māori on the environment is reflected in traditional management practices. Traditional management practices include sanctions to protect waahi tapu or self-imposed iwi management techniques such as rotational seafood harvesting, preservation of coastal seafood habitat areas, prohibitions on gutting and shelling seafood on the beach and avoidance of all forms of despoliation and animal wastes to protect social and economic relationships. As kaitiaki of the environment tangata whenua have the ultimate responsibility to ensure that these relationships are maintained and that natural resources are managed wisely.

The kaitiaki approach to environmental management is holistic. It was described by the Whanau A Pokai/Pohatu Tikapa spokesperson at a hui with the Gisborne District Council at Ruatoria in the following terms which seem to embody the beliefs of the tangata whenua O Tairāwhiti:

The function and role of kaitiaki is not only of guardianship, custodianship and protector but of accountability to its hapu. Functions in terms of resource management may be so defined as:

- to administer resource legislation in partnership with existing local authorities;
- to develop and implement programmes to restore damaged ecological systems, to restore balance and harmony;
- to declare tapu (this must be done in consultation with tribal elders);
- to apply, lift or remove rahui where necessary e.g. drownings at sea or the river mouth;
- to develop guidelines for fisheries wherever stocks may be plentiful to ensure conservation;
- to establish guidelines and policies for commercial endeavours e.g. the removal of aggregate from our foreshore by commercial users with total disregard for tangata whenua;
- to develop education programmes, which explore the harmonious relationship of all taonga e.g. land, fisheries, forest, water, air, animals, life and people.'

Only tangata whenua can be kaitiaki of their natural resources. It is their responsibility to ensure that the mauri (life force or life principle) of these resources is protected.

B1.1.10 Important Concepts in Māoridom

In addition, to kaitiakitanga and rangatiratanga there are a number of important Māori concepts that influence their relationship with the environment, including the following:

Mauri – All living things possess mauri. Mauri binds the physical and spiritual essence of a resource together. It can be likened to the concept of intrinsic value which is provided in the RMA, but it is more, in that it denotes not only the physical essence of a resource but its spiritual essence as well. It is possible to damage resources to the point that they can lose their mauri. Conversely, it is possible to restore the mauri, e.g. by allowing the resource to regenerate, removing sources of pollution or carrying out appropriate Māori ritual/s.

Protecting the mauri of coastal resources is therefore necessary in terms of the RMA and the Treaty of Waitangi and is also effective as a resource management technique.

Waahi Tapu – Protection of waahi tapu is particularly important. Waahi tapu are a particular category of ancestral land or water which are held in the highest regard by tangata whenua. They can include places, sites, areas or objects which are tapu, sacred or special to an iwi. They include:

- Battle fields
- Burial places of placenta
- Tribal tuahu (alters)
- Sources of water for healing and death rites
- Ara purahoura sacred pathways for messengers
- mauri stones and trees
- Carved poupou representing ancestors
- Coastal pa sites and papakainga
- Tauranga waka
- Sacred rivers
- Toko taunga ika (rocks which identify fishing grounds)
- Wahi taonga mahi a ringa (resource sites for materials such as kiekie, flax, pingao, pounamu etc)
- Ara pathways connecting tribal areas and resource sites
- Coastal landscape features
- Mythological sites
- Historic sites

Mahinga Maataitai: Mahinga Maataitai are areas from which seafood (kaimoana) is obtained. Kaimoana has cultural as well as practical food value. A tribe gains mana from its ability to provide an abundance of kaimoana at tribal gatherings. Each iwi has clearly defined "territory" and it is still common for adjoining iwi to seek the permission of the resident iwi before entering "foreign territory" to collect kaimoana. The legal responsibility for controlling the "harvesting" of any plant or animal rests with the Ministry of Agriculture & Fisheries.

Taonga Raranga: Taonga raranga are those "treasures" which are highly prized for weaving and for other arts and crafts. It is important that the habitats of such areas are identified and protected.

Marae and Papakainga: Marae and papakainga are important in that if they are situated on or near the coast it is easier for iwi to protect and enhance their relationship with their coastal land and marine areas. Similarly, kaitiaki responsibilities can be attended to more easily by living, working and recreating on the coast. The provision of marae and papakainga is an important issue for the Tairāwhiti Plan to address because it is important that there is integrated management across the land/sea interface.

Water Quality: One of the most important issues for tangata whenua is the protection of water quality. Water has spiritual as well as physical properties. It is also regarded as having different states, according to its degree of pollution or alteration from its more pure form (rainwater) which is waiora. Water also has mauri which must be protected in order for the water to remain wholesome and pure. Failure to protect the mauri of water is a failure to preserve the resource for the enjoyment of future generations.

Specific areas of water have their own mana, tapu, taniwha, and waahi tapu, which must be respected. Tangata whenua are opposed to the discharge of human wastes directly into water and are particularly concerned by rural discharges, industrial and urban run-off, leachate, and disposal of dredgings directly into water. Tangata whenua seek to have sewage disposed to land rather than discharged into water so that, by passing through land, the mauri of the water is restored.

It is generally of concern to tangata whenua that they have effectively lost control of their water areas without selling them, gifting them or having them confiscated. It is therefore important that activities which will have an adverse impact on the spiritual and physical quality of water are at least ameliorated to the satisfaction of tangata whenua. Tangata whenua, as kaitiaki of the region's coastal water, have concern and responsibility for protecting the mauri of the water.

B1.1.11 Consultation with tangata whenua

Consultation is seen now more as a duty, rather than a principle as such. The duty is an active one requiring Council to consult early and in good faith. Several hapu of the Gisborne district have stressed to the Council that consultation with tangata whenua of the Gisborne district should commence at the whanau hapu level.

Judge McGechan (in the 1992 case of Air New Zealand Ltd v Wellington International Airport Ltd) considered that consultation involves:

- a genuine invitation to give advice and a genuine consideration of advice given;
- the provision of sufficient information and time for the consulted party to be adequately informed, to approve the information and make useful responses;
- the party obliged to consult, keeping its mind open, being ready to change and to seek consensus.

The Council has begun to develop appropriate consultation methods with tangata whenua. Tangata whenua choose to group themselves, or be represented, in a variety of ways. This includes Te Runanga o Ngati Porou, Te Runanga o Turanganui-a-Kiwa, Te Runanga o Paikea, Te Runanga o Nga Ariki, marae committees, and Māori umbrella organisations e.g. Tairāwhiti District Māori Council, Māori Women's Welfare League, and the Tairāwhiti Federation of Māori Incorporations.

To date, Council has established a Māori Liaison Group (representing the various runanga and Māori umbrella organisations), while recognising that on occasions it will be necessary to consult with the hapu and whanau on matters of specific local concern. The Council also recognises that there are iwi organisations based in the Bay of Plenty and Hawkes Bay whose rohe extends into the Gisborne region. The Council accepts an obligation to consult also with those organisations.

Policies on consultation are set out in Part F2 of the Plan.

B1.1.12 Iwi Resource Management Strategies or Plans

An iwi/hapu strategy is a policy document, expressing what the important issues are to iwi/hapu, regarding the use of natural and physical resources. Strategies do not necessarily have to be restricted to natural and physical resources.

There are no statutory obligations to prepare iwi/hapu strategies, and there is no particular format or process which such a strategy should follow. It can have elements of both strategic and operational planning in it, and it could be one comprehensive document or a number of strategies which look at particular issues in detail. It could be closely linked to or be part of an iwi/hapu development plan.

B1.1.12.1 The Parts of an Iwi/Hapu Resource Management Strategy

An Iwi/Hapu Resource Management Strategy is made up of various components, which deal with the philosophic, spiritual, practical and operational matters of resources within their takiwa. They are:

- whakapapa
- takiwa
- whakatauaki.

This section introduces an iwi's/hapu's ancestral relationship with its whenua (land), moana (seas or lakes), awa (rivers), maunga (mountains), me nga tangata (people), preparing and operating its plans and policies.

Common policy statements – these are issues or policy statements which can be agreed across tribes. These could include such matters as:

- waahi tapu policies
- kaitiakitanga policies
- co-management of resources policies (between the regional council and tribes)
- delegation of powers policies
- development of resources policies
- consultation policies and principles
- representation policies and principles
- funding principles.

Tribal specific policy statements – this section would contain those policies specifically applicable to the natural resources of that tribal group as opposed to those that can apply to other tribal groups. This is where considerable work will need to be done by tribal staff and representatives and the Council. In order to produce iwi/hapu strategies or plans the following are required:

- skill and practical training for tribal staff
- human resources or people who may be able to assist
- financial resources or sources of funding for associated work and research
- technical resources that may assist in the planning process.

It is usual for planning to occur under the mantle of the recognised iwi/hapu authority. The co-ordinating group must have the authority within the iwi/hapu to initiate, motivate, sponsor, negotiate, arbitrate and collate the many facets of strategy preparation and review. They must also have, or be able to develop the operational and administrative capacity to support the planning process.

B1.1.12.2 Summary of what an Iwi/Hapu Strategy is

Strategies make statements about how an iwi/hapu wants to be involved in the management, development, protection of any natural and physical resources. These could include any ancestral taonga – rivers, lakes, mountains, land, minerals, waahi tapu, wildlife and places of tribal significance.

In the past, resource management decisions have often been made without any consideration given to the potential effects on Māori tribal and Treaty of Waitangi interests. The reasons for this are various, including a perceived legal inability to do so and uncertainty on the part of decision-makers. This is gradually being changed through the process of legislative reform. Consideration has not been given to Māori interests in many cases because these matters have not been made explicit in the past and Māori interest has usually only emerged as an objection to some particular proposal. Very little has been said about what Māori want, in contrast to the volumes related to the things that Māori do not want.

B1.1.12.3 Iwi/Hapu Strategies, Te Tiriti O Waitangi and Local Authorities

The Resource Management Act imposes a duty on decision-makers to consider the Treaty of Waitangi, and local authorities must consult with tangata whenua in a variety of situations. This means that decision-makers must specifically address issues of concern to iwi/hapu. It should be remembered however that increasing demands are being placed on iwi/hapu to respond on a variety of matters, not just resource management issues. Iwi/hapu strategies will help to reduce the pressure on all parties in the long term.

They are one way in which iwi/hapu can participate in the system established by the Resource Management Act to manage the effects of the use of natural and physical resources. When local authorities are preparing or changing plans and policy statements under the Act, they must take into account iwi/hapu strategies to the extent that their contents have a bearing on resource management issues (Sections 61, 66, 74).

This does not mean that the local authority is bound to follow an iwi/hapu strategy. Local authorities must balance a number of apparently competing interests, including Māori interests.

The Act lists a number of principles which decision-makers must have a regard to the importance of, one of which is Māori and their culture and traditions with their ancestral lands, waters, sites, and other taonga (Section 6(e)). The weighting that each principle gets depends on the circumstances that the decision-maker is considering.

However it does mean that local authorities must at least be aware of the issues and, where it is in accordance with the Act, support or give effect to the objectives of the strategy. The advantages to local authorities are clear. There would be less likelihood of challenge before the Courts or Tribunals and, in some cases, the iwi/hapu strategy could also help the consistency of regional policies and plans.

B1.2 Issue – Taking into account the principles of the Treaty of Waitangi

B1.2.1 Objective

1. To take into account the principles of the Treaty of Waitangi in the exercise of functions and powers under the Act.

B1.2.2 Policies

1. The Kawanatanga Principle

To recognise that the Gisborne District Council's (delegated) right to manage natural and physical resources (kawanatanga) is exercised subject to the protection of rangatiratanga.

2. The Rangatiratanga Principle

To endeavour to uphold, within the limits of the RMA, the rangatiratanga rights of iwi o Tairāwhiti. Policies and plans shall, as far as possible, be consistent with Māori values and preferences for management of their resources.

3. The Partnership Principle

To actively promote and develop greater partnership between Council and iwi o Tairāwhiti in the management of the district's natural and physical resources by exercising the utmost good faith, co-operation, reasonable compromise, flexibility and responsiveness.

4. The Active Protection Principle

To actively protect the manataiao and taonga of iwi o Tairāwhiti by identifying and protecting, in a manner appropriate to the values of iwi, those natural and physical resources of significance to iwi.

5. To take account of the guarantee of rangitiratanga and its relationship with kawanatanga in resource management planning.

B1.2.3 Methods

- 1. Develop an in-house training programme to ensure that councillors and staff are aware of their obligations to Māori under the Act, including the requirement to take into account the principles of the Treaty of Waitangi in the exercise of its functions, duties and powers.
- 2. Develop in-house guidelines for use by Council staff members, whereby proposed plans, policies, rules and consent decisions are checked against the principles of the Treaty and other requirements of the Act.
- 3. Develop, in discussion with Māori, greater understanding and awareness of Māori custom and practice relating to resource management [Refer to F2.1.1 of the Plan].
- 4. Encourage and support the preparation and implementation of iwi management plans, subject to consistency with the Act.
- 5. Consider using section 33 of the RMA to transfer some resource management functions to iwi authorities. Council will consider such transfer when it is considered that the transfer is desirable on all of the following grounds:
 - (a) The authority to which the transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power or duty;
 - (b) Efficiency;
 - (c) Technical or special capability or expertise
- 6. Develop policies on consultation and information exchange which reflect a commitment to the principles of partnership and active protection. (Refer to F2.1.1 of the Plan).

B1.2.4 Principal Reasons

- All persons exercising functions, duties and policies under the Act are required to take into account the
 principles of the Treaty of Waitangi [section 8 of Act]. A number of principles have been defined
 through the findings of the Waitangi Tribunal and decisions of the Court of Appeal. At the heart of the
 Treaty are the principles of Rangatiratanga and Kawanatanga. (Refer section B1.1.1 of this Plan). The
 policy is not intended to limit the principles. It is anticipated that the meaning and practical
 implications of the principles, in terms of resource management, will be further developed over time.
- There are two components of the question of how to give effect to the requirement to take into account Treaty principles. First, there is the "deliberative" obligation referred to in B1.1.1 of the Plan. That is, in its planning, rule making and consent granting activities, Council must make sure that it has given adequate consideration to the principles. Second, there is the issue of the actual implications of taking into account the principles of the Treaty for the way in which Council conducts its planning activities and the outcomes it should be seeking to achieve. The policies and methods stated above are designed to address these issues.
- The Council's ability to make rules governing the management of natural and physical resources

 its delegated right of Kawanatanga is exercised subject to the obligation to recognise and
 protect the te tino rangatiratanga of iwi o Tairāwhiti.
- Rangatiratanga refers to the right of iwi to retain control over their resources and taonga and to
 manage them in accordance with their customs and cultural preferences. The policies and
 methods stated above, coupled with those in other sections of this Plan, are designed to increase
 the involvement and influence of iwi in the management of natural and physical resources, and
 hence to promote the restoration of rangatiratanga.
- The preparation of iwi resource management plans is a potential means of helping to restore rangatiratanga. Iwi management plans may describe resources important to the particular iwi and how they wish them to be protected, or developed. Such plans would be a valuable guide to potential developers and Councils, and may reduce the burden of consultation. Iwi management plans are not compulsory. However, if an iwi decides to prepare one, Council must have regard to it when preparing a Regional Policy Statement, regional or district plan.
- While, under section 33 of the Act, iwi cannot be delegated full decision-making powers, the transfer of some resource management functioning to iwi authorities would allow iwi to have more say in the management of particular resources or areas. Where a specific function has been identified as being of special value to tangata whenua, Council may consider the transfer of its functions, powers and duties to iwi, hapu and marae authorities.

B1.3 Issue – Having regards for Kaitiakitanga

B1.3.1 Objective

1. To have particular regard to the concept of kaitiakitanga when managing the use, development and protection of natural and physical resources, in a way which accommodates the views of individual iwi and hapu.

B1.3.2 Policies

- 1. To consult with iwi and hapu on an individual basis to determine how kaitiakitanga can be recognised and integrated in the management of the use, development and protection of natural and physical resources in the Gisborne district.
- 2. To recognise and provide for the role and mana of kaitiaki as resource managers or guardians of local resources.
- 3. To encourage applicants for resource consents to consult with tangata whenua.
- 4. To take account any relevant planning document/s recognised by the appropriate iwi, hapu or marae.

B1.3.3 Methods

- 1. Consult with iwi and hapu on a site and resource specific basis over the meaning of kaitiakitanga and the way in which the Council could appropriately have regard to the concept and accommodate the role of tribal kaitiaki in particular situations.
- 2. Encourage and support the preparation of iwi resource management policies and plans, and have particular regard to such plans.
- 3. Consult with kaitiaki when developing plans and considering proposals that affect particular resources.
- 4. Explore opportunities for the delegation or transfer of powers over particular resources.

B1.3.4 Principal Reasons

- Section 7(a) of the RMA requires the Council to have particular regard for kaitiakitanga. The meaning of kaitiakitanga and kaitiaki is discussed in section B1.1.9 of the Plan.
- Notwithstanding the definition in the Act, the concept of kaitiakitanga can mean different things to different iwi and hapu. Council will therefore discuss the concept with iwi and hapu, as appropriate, and explore the best way of giving effect to the requirement.
- The formal recognition of kaitiaki is a potential means of helping to restore rangatiratanga.
- Iwi management plans may, amongst other things, set out how tangata whenua wish to exercise kaitiakitanga in relation to a particular area or resource. This is one mechanism Council may use to assist in identifying iwi, hapu and marae preferences.
- Consultation with kaitiaki is essential because of their status (as guardians) and knowledge of the resource concerned.
- Applicants for resource consents, are encouraged to consult generally, including consultations with Tangta Whenua. These policies encourage applicants for resource consents to provide evidence of genuine attempts to consult with tangata whenua in good faith.
- A potential means of supporting or augmenting the traditional role of kaitiaki is to transfer certain powers to iwi authorities pursuant to section 33 of the Act.

B1.4 Issue – Recognising the relationships of Māori with their culture, traditions, ancestral lands, and other resources

B1.4.1 Issues

- 1. Council and the wider community struggles with how to recognise, have regard to, and provide for tangata whenua values, customs, rights and interests in the district.
- 2. Resource management processes are unfamiliar and daunting for tangata whenua who have limited resources. This discourages tangata whenua from participation and tangata whenua consider their issues are not given due consideration.

B1.4.2 Objectives

- 1. To promote, where practicable, the preservation and protection of sites of value to Māori.
- 2. To recognise and provide for the relationship of Māori with their culture, traditions, ancestral lands, and other resources.

B1.4.3 Policies

1. To recognise that each iwi, hapu and marae has its own priorities and preference for the management of resources and to respect those priorities and preferences within the limits of the Act.

- 2. To give consideration to appointing to a hearing committee or a panel of independent commissioners considering a resource management issue involving values important to Māori, a commissioner or commissioners with expertise in Māoritanga, including kawa (protocol) and kaitiakitanga. Any commissioner so appointed should have sufficient expertise to address issues of sensitivity to tangata whenua.
- 3. To ensure that the Māori language and Māori place names are recognised in the exercise of any of Council's functions, powers and duties under the Act.
- 4. To establish with tangata whenua a consultation network with the constituent iwi, hapu and marae of the Gisborne district who have mana whenua in the district. This is for the purpose of establishing processes and protocols to enable full and effective participation in resource management processes.

B1.4.4 Methods

- 1. The Council may invite iwi, hapu and marae in the district to compile a list of commissioners for possible appointment as independent commissioners where applications for resource consents affect iwi, hapu or marae.
- 2. The Council shall, in accordance with tikanga Māori and pursuant to the Māori Language Act 1987 (Te Reo Māori), provide for the use of the Māori language before any hearing committee considering resource management issues within the district.
- 3. The Council may provide for hearings under the RMA to be held, where appropriate, on Marae. Note:
 - 1. The Plan has specifically provided for section C4 of the Plan, which provides rules and policies for the recognition and protection of cultural heritage. This includes archaeological sites, wahi tapu area schedule/s and a heritage protection layer which is a predictive model of human settlement.
 - 2. The Plan has specifically provided in for papakainga and marae settlements in section C2.
 - 3. The monitoring provisions in Part F of the Plan will specifically cover plan effectiveness monitoring, consent compliance monitoring, state of the environment monitoring and the integration and dissemination of information.

B1.4.5 Principal Reasons

- **Objective 1** This objective recognises that culturally important sites need to be preserved and protected where possible.
- **Objective 2** It recognises that Māori are an integral part of natural systems and cannot be separated from the well-being of the system. If Māori are separated then the function of kaitiaki cannot be exercised and the integrity of the relationship between Māori and natural and physical resources falters. The RMA requires that this integrity be maintained.
- Policy 1 To ensure that the iwi, hapu and marae is recognised as the base unit of decision-making in Māoridom so that appropriate emphasis is given to the views of iwi, hapu and marae when considering the relationship of Māori and their culture. Each iwi, hapu and marae may express its priorities and needs independently of any other iwi, hapu and marae. One means of identifying the priority and needs of iwi, hapu and marae is through Management Plans.
- **Policy 2** There may be issues under consideration arising from resource consent applications where values of cultural and traditional importance to Māori are involved. Council should ensure experts in the culture and traditions of the tangata whenua concerned are part of the independent panel of commissioners. This Policy assists Council to give effect to the principles of the Treaty of Waitangi by recognising rangatiratanga when considering local issues of importance to Māori.
- Policy 3 The Māori language is a taonga of great importance to Māori and an official language of New Zealand/Aotearoa. It should be protected as a resource. If Council is to recognise and provide for, as a matter of national importance, the relationship of Māori and their culture and traditions with their taonga, then it is important that the Māori language is accepted and cherished.

- **Policy 4** In order for Council to implement all its objectives in relation to Māori, it is essential that Council develops a mechanism which facilitates direct communication with iwi, hapu and marae that are affected by issues.
- Method 1 In order for Māori to fulfil their kaitiaki responsibilities and to recognise rangatiratanga, it may be appropriate for Māori representatives to act as commissioners for some hearings in order to assist the hearing committee to arrive at decisions that take into account the perspectives of the Māori culture.
- **Method 2** The Māori language is a taonga of Māori and an official language of New Zealand. The RMA provides for the Māori language to be used when giving evidence. This method ensures that those who wish to use the Māori language at hearings understand that they may do so.
- **Method 3** A concern expressed frequently by Māori and Council is the fact that Māori find the process of hearings uncomfortable and foreign, potentially inhibiting Māori participation in the resource consent process. This method recognises that there may be circumstances where hearings should be held on marae, where Māori would feel more able to express their views.

B1.5 Tangata Whenua and Freshwater – He Taonga Tuki Iho

B1.5.1 Introduction

During development of the Freshwater Provisions, Te Runanga o Ngati Porou expressed to Council the need to have an active role in resource management decision-making particularly in relation to their rohenga tipuna-mai i Potikirua Ki Te Toka a Taiau.

Ngati Porou hapu have their own perspectives on managing natural and physical resources, based on matauranga Maori and Ngatiporoutanga. This underpins the way Ngati Porou view and interact with the environment and their kaitiaki role.

A joint management agreement (JMA) under section 36B of the RMA was chosen as the most appropriate mechanism to meet the needs of both Council and Te Runanga on Ngati Porou. The agreement allows for:

- Co-creation of the Waiapu Catchment Plan
- Involvement in decisions about private and public plan changes relating to the Waiapu Catchment
- Involvement in the resource consenting process, and
- Representation on notified resource consent hearings within the Waiapu Catchment.

This part of the Tairāwhiti Plan describes the values and environmental outcomes sought by tangata whenua in relation to freshwater (including geothermal water), and provides links to regional policy statement and freshwater provisions in the rest of the Tairāwhiti Plan that seek to deliver on these outcomes.

The natural world provides identity for Māori. Māori introduce themselves in relation to their tribal boundaries and their turangawaewae, with reference to:

- their mountain;
- the lands adjacent to the mountain;
- their river and its flow; and
- the coastline.for inland tribes, often a large lake.

The following iwi have tribal connections and interests within the Gisborne region (rohe):

- Ngai Tāmanuhiri;
- Te Aitanga a Mahaki;
- Nga Ariki Kaiputahi;
- Te Whanau a Kai;
- Rongowhakaata;
- Te Whanau Apanui; and
- Ngati Porou.

B1.5.2 Statutory Acknowledgements

A statutory acknowledgement is a formal recognition by the Crown of the mana of tangata whenua over a specified area. It recognises the particular cultural, spiritual, historical and traditional association of an iwi with the site, which is identified as a Statutory Area. Statements of statutory acknowledgements are set out in Treaty of Waitangi settlement legislation.

Statutory Areas only relate to Crown-owned land and include areas of land, geographic features, lakes, rivers, wetlands, and coastal marine areas. Gisborne District Council must have regard to statutory acknowledgements relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustee is an affected person in respect of an application for a resource consent for an activity within, adjacent to, or that directly affects the statutory area.

Statutory acknowledgements are in place for the following water bodies within the Gisborne region:

Ngāti Porou statutory areas are:

- Waiapu River and its tributaries upstream of the coastal marine area;
- Ūawa River and its tributaries upstream of the coastal marine area;
- Turanganui River and its tributaries (to the extent that this area is within the area of interest), upstream of the coastal marine area; and
- Waimata River (as a tributary of the Turanganui River to the extent that this area is within the area of interest), upstream of the coastal marine area.

Ngai Tāmanuhiri statutory areas are:

• Part Waipaoa River (including Karaua Stream).

Rongowhakaata statutory areas are:

- Turanganui River within Rongowhakaata area of interest;
- Taruheru River within Rongowhakaata area of interest;
- Waipaoa River (including Karaua Stream) within Rongowhakaata area of interest;
- Waimata River within Rongowhakaata area of interest;
- Hangaroa River within Rongowhakaata area of interest;
- Te Arai River within Rongowhakaata area of interest; and
- Waikanae Creek within Rongowhakaata area of interest.

B1.5.3 Te Whānau a Kai perspective

During development of the Freshwater Provisions, Te Whānau a Kai expressed to Council the need to recognise and provide for their ancestral relationship with freshwater resources situated in their traditional rohe, such as awa, roto, repo, puna, wainuku, ngutawa and Muriwai.

Te Whānau a Kai has a clearly stated view that the Crown should recognise their proprietary interest in the freshwater resources, and that Council should provide for that interest.

B1.5.4 Recognising Iwi Planning Documents

Hapu and Iwi Management Plans provide a mechanism for tangata whenua interests to be considered in Council processes. There are specific legislative requirements which place a duty on Council staff to take these plans into account. There are two iwi planning documents recognised by an iwi authority and lodged with the Council:

- Te Aitanga a Mahaki Iwi Environmental Inventory, 2006; and
- Nga Ariki Kaiputahi Hapu/Iwi Management Plan.

B2 AIR QUALITY

The provisions of B2 are regional policy statement provisions.



Regional Policy Statement

Part B2 is operative.

B2.1 Issue – Industrial activities, car exhausts and the combined discharges of a community to the atmosphere can result in adverse effects on the community and wider environment

Explanation of Issue

Air is a collection of gases resulting from natural and human activities. Air pollutants are similarly caused. Gisborne currently has good air quality which could be degraded by increased industrial and commercial activities. Some current activities cause unacceptable air pollution such as spray drift, odour and smoke. Poor transport planning and poorly maintained vehicles can produce localised problems.

Natural air pollutants could be linked to the high level of asthma and allergenic reactions in the district.

Greenhouse gases such as carbon dioxide and methane are produced by landfills, vehicles and combustion processes. Ruminating animals also contribute. However as vegetation absorbs such gases the Gisborne district is probably a net sink rather than a source.

Ozone layer protection is of local as well as global concern with the district experiencing one of the highest number of sunshine hours in New Zealand. Ozone-depleting substances require careful control.

Data is lacking on air quality and sources of emission in the region.

B2.1.1 Objective

1. Air quality will be enhanced and maintained where necessary to protect human health, fauna, flora, and aesthetic values.

B2.1.2 Policies

- 1. To set and administer air quality standards for protection of the environment.
- 2. To promote the development of control technology which will minimise the adverse effects of air discharges on the environment.
- 3. To develop and promote practices which improve air quality and reduce adverse effects.
- 4. To discourage practices which have the potential to result in adverse effects on the air environment.
- 5. As a precautionary measure to promote reductions in greenhouse gas emissions by promoting alternative practices, increased energy efficiency, conservation, carbon sinks and an integrated national approach to guide regional and local responses.
- 6. In accordance with the Ozone Layer Protection Act 1990, to promote a reduction in ozonedepleting substances which may be released into the environment.
- 7. To provide for tangata whenua input to the processes of setting air quality standards and developing plans.
- 8. To recognise that the maintenance of high quality air and the discharge of contaminants to air are culturally and spiritually significant to tangata whenua.
- 9. To utilise, wherever possible and appropriate, national policies, standards and guidelines to manage air quality, except where these would lead to a reduction in existing air quality.
- 10. To limit open burning to circumstances where it is the best practicable option, and can be carried out without creating nuisance or other adverse effects.

B2.1.3 Methods

- 1. Prepare and administer a statutory regional plan containing rules and other methods for air quality management.
- 2. Develop codes of practice for specific air discharges where it will best meet the purpose of the RMA to do so to.
- 3. Recommend the best practicable option for discharges to air where it is impracticable to determine environmental effects and there are no relevant standards or guidelines.
- 4. Investigate, develop, actively publicise and promote methods for improving air quality.
- 5. Consider air quality issues in all land transport planning matters.
- 6. Carry out an inventory of air emissions in the region and update every five years.
- 7. Carry out monitoring of the air environment.
- 8. Use buffer zones to mitigate adverse effects from air pollutants with a potential to cause nuisance.

B2.1.4 Principal Reasons

- **Objective 1:** The existing high air quality of the region must at least be maintained at a quality which protects human health, fauna, flora and aesthetic values. Where there is existing contamination causing deterioration of any of these values measures need to be taken to address this.
- Policy 1: New discharges must be controlled so that these values are protected.
- Policy 2: The use of technological solutions to air emission problems is supported.
- **Method 4:** In some instances certain practices may give rise to air contamination which is difficult to clearly identify and adverse effects difficult, if not impossible, to prove.
- **Policy 3:** Efforts must be made to identify better options which result in lower levels of contamination and actively promote these and pursue any available practicable options which result in improved air quality.
- **Policy 4:** Pesticide spraying may also fit into this category in relation to compatibility with biogro/organic farming activities, although improved practices need to be promoted as well.
- **Policies 5-7:** There is a need for action at all levels to address the global issues of greenhouse gas emissions and ozone depleting substances. The Gisborne region should play its part by encouraging a correct balance of greenhouse gas production and uptake as well as correctly dealing with ozone depleting substances.
- **Policy 9:** Some nuisance problems can only be practically dealt with by separating the source from the more sensitive environment. This is particularly the case with odour. In these cases buffer zones can be used as a planning tool to prevent adverse effects.
- **Policy 10:** Before burning of vegetation or rubbish can be approved, this method of removal or disposal must be seen as being the best practicable option. If so it must be carried on in a nuisance-free manner which causes no adverse effects. Burning of some materials can release toxic fumes and result in more concentrated contaminants in the ash residue.
- **Method 8:** There is very little information on air quality in regions such as Gisborne. Base-line information will therefore be gathered to inform decision-making.

B3 BUILT ENVIRONMENT, ENERGY and INFRASTRUCTURE

The provisions of B3 are regional policy statement provisions.

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Regional Policy Statement

Part B3 is operative.

B3.1 Energy Management – Introduction

Under the RMA, energy is included in the definition of natural and physical resources. The Gisborne District Council consequently has a role to play in promoting the sustainable management of energy. The extent of this role is, however, limited by section 5(2)(a) of the Act which excludes minerals. The allocation of Crown-owned minerals is managed under other legislation.

The control of the taking, use, damming or diversion of water for the production of hydro-electric power, and control of the taking or use of geothermal energy is a regional function under refer section 30(1)(e) of the Act. Other than this function, energy is a resource that falls outside the direct control of any person or agency with functions and powers under the Act.

Energy management is closely linked with policies for air quality and transportation.

Globally and nationally, current patterns of energy use are unsustainable. For both economic and environmental reasons, there is a need to conserve finite fossil energy resources and to make the transition to more sustainable sources of energy.

Council considers that there is a need for more detailed policy guidance from central government in this area. However Council also recognises that it does have a responsibility to promote energy efficiency and the use of renewable energy resources.

B3.2 Issue – Inefficient Use of Energy

Explanation of Issue

Examples of inefficient use of energy can be found in all sectors of activity – industry, commerce, transport, primary production, urban form and in the individual home. In the past, opportunities and incentives for greater energy efficiency have received little attention. This is in despite of evidence that energy efficiency or conservation offers the best "source" of energy in terms of its potential to postpone or avoid the economic and environmental costs associated with the provision of new energy capacity.

Government agencies such as Energy Efficiency and Conservation Authority [EECA] have been established to promote energy efficiency.

B3.2.1 Objective

1. To achieve the efficient use of energy in a way that will help to ensure the continued availability of energy to meet the needs of the community, without compromising the sustainable management of natural and physical resources.

B3.2.2 Policy

- 1. To encourage the efficient use of energy in relation to:
 - urban form, subdivision patterns and lot alignment.
 - the design, location and operation of buildings and other structures.
 - transport modes and patterns.
 - the use of appropriate energy saving techniques in industrial, commercial and residential situation/s.
 - waste management, including the minimisation, recovery, reuse and recycling of solid wastes and other contaminants.

B3.2.3 Methods

- 1. Take into account energy efficiency considerations when preparing plans, developing transport policies and assessing resource consents:
- 2. Conduct energy audits as part of a commitment to implementing a long term Energy Efficiency Action Programme for Council assets.
- 3. Support EECA in its efforts to ensure that appropriate information and advice is provided to all sectors of economic and domestic activity on the benefits of energy efficiency and the availability of energy efficiency equipment and products.
- 4. Encourage public and private sector organisations to undertake energy audits and to implement cost-effective measures to improve energy efficiency.
- 5. Mount publicity/public awareness campaigns as appropriate.

B3.2.4 Principal Reasons

- Section 7(b) of the Act requires Council to have particular regard to the efficient use and development of natural and physical resources. In addition to conserving finite fossil fuel reserves, increased energy efficiency reduces both the financial and environmental costs associated with the generation, transportation, conversion and the end use of energy. Greater efficiency in energy use will also provide a longer period within which to achieve an orderly transition to renewable energy sources
- **Objective 1:** applies, in principle, to all activities and to all sources of energy and it is based on the premise that improved energy efficiency should be pursued before developing additional or new sources of supply.
- **Policy 1:** signals Council's intention to promote energy efficiency across a wide range of activities. It recognises that improvements in energy efficiency are desirable in a range of areas.
- **Method 1:** Council has a significant opportunity to encourage energy in its Tairāwhiti Plan through the control of land use and development. The resource consent process also provides an opportunity for Council to consider energy efficiency issues and/or to attach conditions to consents relating to energy efficiency.
- **Method 2:** The conduct of in-house energy audits and the preparation of an Energy Efficiency Action Programme is a practical way for the Council to exercise leadership in this area, with the likelihood of real savings to the ratepayer. The information generated by these audits would be made available to other organisations seeking to improve their energy efficiency.
- Method 3: Council wishes to work in partnership with EECA.
- **Method 4:** Energy audits are a well-established method of identifying opportunities to improve energy efficiency and to benefit financially from such improvements.

B3.3 Issue – The high degree of dependency of the Gisborne region and its communities on finite, non-renewable sources of energy

Explanation of Issue

The Gisborne region, like other regions within New Zealand, is highly dependent on non-renewable fossil fuels for its energy needs. Fossil fuels (e.g. petroleum, gas, coal) are finite, expensive and there is a significant environmental cost associated with their use (see above). In contrast, electricity usage in the region relies to a large extent on a renewable energy source; hydroelectric power.

Solar, wind, biomass, crops and wood and hydro-electric power generation are the most promising sources of renewable energy for the future.

B3.3.1 Objective

1. To encourage the progressive development and use of cost-effective and sustainable sources of renewable energy within the Gisborne region.

B3.3.2 Policies

- 1. To support Government initiatives on renewable energy.
- 2. To support energy generation from the region's renewable energy assets where such development is shown to be cost-effective, technically viable, and the effects of the development environmentally acceptable.
- 3. To promote greater use of cost effective renewable energy sources in production processes and activities and in the provision of commercial and domestic energy services.

B3.3.3 Methods

- 1. Act as an advocate where there are environmental benefits to be gained from the use of renewable energy sources.
- 2. Ensure that there are no undue barriers to renewable energy developments in the Tairāwhiti Plan or elsewhere.
- 3. Promote, in conjunction with EECA, Ministry of Business, Innovation & Employment (MBIE), research institutions and energy sector representatives, the cost-effective use of renewable energy sources in the industrial, domestic and transport sectors.
- 4. Promote through the Land Transport Strategy and the District Land Transport Programme:
 - Existing modes of sustainable (renewable) transport and associated infrastructure.
 - The progressive development and use of cost-effective transport modes that utilise renewable energy sources.
- 5. Encourage Government to fund ongoing research into renewable energy technologies.

B3.3.4 Principal Reasons

- Non-renewable fossil fuel energy sources currently comprise the major source of energy for transport and are a significant source of energy for direct and indirect inputs to agricultural, industrial and commercial activities.
- Section 7(g) of the RMA requires particular regard to be given to the finite characteristics of resources.
- The continuing use of non-renewable fuels is not sustainable. Economic, social and environmental costs are associated with the depletion of finite energy resources.
- **Objective 1:** seeks to sustain the potential for people to provide for their social and economic well-being by helping to prepare for the time when fossil fuels are in short supply.
- **Policy 1:** The achievement of a transition to more sustainable patterns of energy use is a national issue. Consequently, policy direction on energy and associated programmes for implementation are most sensibly initiated by central government and Council will support such programmes, subject to affordability
- **Policies 2-4:** These confirm Council's intention to do what it can to support Government's aim of encouraging the development of cost-effective sources of renewable energy.
- **Method 1:** Council justifies the adoption of an advocacy role for renewable energy on the grounds that a reduction in dependency on (finite) fossil fuels is in the best long term interests of the region.
- **Method 2:** Council will endeavour to identify and eliminate institutional, administrative and planning barriers to the development or uptake of renewable energy technology.
- **Method 3:** Signals Council's intention to work closely with other relevant agencies in the promotion of renewable energy options.
- **Method 4:** Council intends to use the Land Transport Strategy and the District Land Transport Programme to support transport modes that make more efficient use of fossil fuels (e.g. public transport) or which do not rely on the use of fossil fuels (e.g. cycling, walking).
- **Method 5:** Council considers it important that Government maintains a commitment to undertaking research into the development and application of renewable energy technologies and to the transfer of this information to user groups.

B3.4 Transport and Infrastructure – Introduction

Efficient transport, communications and energy distribution networks and services for goods and people are important in the Gisborne district which is geographically large with a dispersed rural population. The urban centres including Gisborne city are also located remotely from the major North Island centres. The transportation of goods and livestock into, out of, and around the district is vital for the economic well-being of the district's population. A reasonable level of personal mobility is important to most of the district's population.

The RMA promotes sustainable management. The Act is not about promoting one set of economic instruments over another, but rather anticipates planning documents establishing an environment conducive to achieving desired (sustainable) ends. For this reason this section does not promote one set of transport or network infrastructure options over another, but rather recognises the value of an efficient transport and network infrastructure as a whole.

The cost of providing networks and services needs to be taken into account. This is especially important for remote areas which may require relatively expensive transport facilities for few users.

Transportation includes rail, air, road and sea based facilities and services, both public and private, and issues that are associated with them.

B3.5 Issue – The development of efficient, effective, safe transport and network utility systems can result in adverse effects on other components of the environment such as community health and natural character of the coastal environment

Explanation of Issue

There are several important environmental effects associated with transport – such as gravel extraction, earthworks, dust, roadside sprays and noise – as well as effects associated with network utilities. These effects must be addressed in conjunction with the provision of these activities in order to achieve the full meaning of sustainable management.

Potential effects of the railway include adverse effects of maintenance such as weed spraying and earthworks to clear slips or improve the track.

The existence and operation of the Port and any new facility which may be developed have the potential to cause the following adverse effects:

- Degraded water quality.
- Loss of natural character;
- Loss or modification of marine habitats due to reclamation, dredging and dumping of dredgings.
- Landscape changes.
- Significant adverse effects are possible from roading. These include:
 - Soil erosion, sedimentation of waterways and damage to natural habitats from earthworks and excavations when constructing or maintaining roads.
 - Emissions from engines causing air pollution and contributing to greenhouse gases.
 - Wastes from stock trucks causing nuisance or danger to other road users and lowering water quality in the vicinity.
 - Noise, smell and vibration caused by heavy traffic passing through populated areas.

Potential effects from network utilities include visual impacts and soil erosion and water sedimentation caused by construction and associated tracking.

B3.5.1 Objectives

1. The provision by relevant organisations of safe, efficient, and convenient rail, air, port and road transport services in a way that avoids, remedies or mitigates adverse effects on the natural and physical environment.

2. The provision of the efficient development, operation and maintenance of network utilities by the relevant organisations throughout the Region in a way that avoids remedies or mitigates adverse effects on the natural and physical environment

B3.5.2 Policies

- 1. To avoid, remedy or mitigate any adverse effects resulting from the construction and maintenance of transport facilities and network utilities.
- 2. To plan for the location of transport facilities and network utilities and their relationship with adjoining land uses so that they do not cause or sustain adverse effects from nearby land uses.
- 3. To recognise and promote the environmental and economic advantages of efficient rail and sea.
- 4. To encourage efficient and sustainable transport and utility networks in the region.
- 5. To promote a pattern of urban growth that minimises the use of energy.
- 6. To be willing to consider new transport options such as barging or new port facilities which might reduce the region's dependence on roading.
- 7. To encourage efficient and sustainable port developments.
- 8. Provide, where possible, for the extraction of gravel from environmentally appropriate locations in order to enable the roads of the region to be maintained.

B3.5.3 Methods

- 1. Prepare a Regional Land Transport Strategy in accordance with the Land Transport Management Act to identify future needs and options for meeting them.
- 2. Include provisions in the Tairāwhiti Plan to provide for road, rail and port activities and network utilities while avoiding remedying or mitigating resulting adverse effects.
- 3. Include district provisions in the Tairāwhiti Plan to protect the operational environment for transport services and network utilities by techniques such as roading hierarchies, buffer areas, heavy traffic routes, separation of incompatible activities.
- 4. Include district plan provisions in the Tairāwhiti Plan to address the resource management issues of industrial minerals such as rock, gravels and sand.
- 5. Provisions in the Regional Waste Management Plan to control the effects of effluent discharges from stock trucks.
- 6. Advocate with the owners for the continuance of the rail link where this is in the economic interests of the inhabitants of the Gisborne district.
- 7. Encourage major industrial activities to locate alongside railways wherever possible.

B3.5.4 Principal Reasons

- The economy requires a safe and efficient transport and network utility infrastructure. This includes adequate roads, rail and air services, telecommunication and energy distribution.
- Objective 1, Policy 2, Methods 2 and 4: Access to transport services is essential. These systems can have adverse effects on the environment in particular discharges to water, soil and air and noise. Construction, maintenance and use of ports, roads, railways airports and network utilities can result in soil erosion, sedimentation of waters, loss of habitats and scenic qualities.
- **Policy 2 and Method 3:** The operations of facilities can be affected by incompatible adjacent land use. While transport and utilities cannot expect total freedom to adversely affect adjacent land, some grouping of related and separation of incompatible activities can be mutually beneficial.
- **Method 1:** A Regional Land Transport Strategy is a statutory requirement. It enables the land transport needs to be identified and provided for in a way which must be consistent with the RMA.

- **Methods 2-4:** The Tairāwhiti Plan is the statutory means under which transport and network utilities can be managed to enable them to operate and develop in a sustainable way. Travel by road is the only transport options within most of the district and it is therefore critical that adequate road infrastructure be developed and maintained in order to facilitate the economic and social well-being of the district.
- **Policy 3 and Method 5:** The continued operation of a rail link in the district is desirable as it gives greater transport option and maintains the rail infrastructure so that it is available in the future. Rail transport has advantages over road as it reduces fuel use, exhaust emissions, road construction and maintenance.

Port services are an important transport link for the import and export of bulk goods into and out of the district. Efficient port services enhance the economic viability of producing bulk export products locally, and therefore add to the economic well-being of the district generally. Sea transport has advantages over road as it reduces fuel use, exhaust emissions and road construction and maintenance.

- **Policies 2-3:** Port facilities can have major impacts on the natural and physical environment. The coastal and district provisions in the Tairāwhiti Plan are the statutory documents where such impacts are required to be addressed.
- **Policy 7:** Port services are an important transport link for the import and export of bulk goods into and out of the district. Efficient port services enhance the economic viability of producing bulk export products locally, and therefore add to the economic well-being of the district generally. Sea transport has advantages over road as it reduces fuel use, exhaust emissions and road construction and maintenance. Port facilities can have major impacts on the natural and physical environment. Sustainable port development and operation is therefore encouraged. Maintenance of roads within the region is dependent in part upon the availability of adequate supplies of suitable quality gravel.

B4 COASTAL ENVIRONMENT

The provisions of B4 are regional policy statement provisions.



Regional Policy Statement

Part B4 is operative.

B4.1 Coastal Management – Introduction

The Gisborne district has approximately 270 km of coastline. This excludes those parts of the coastal marine area which are the tidal portions of rivers. The nature of the coastline is largely influenced by the geological history of the area, its climate, the vegetation in the catchments and to some extent changes brought about by human occupation. Section C3 of the Tairāwhiti Plan describes the nature of Gisborne's coastal environment in more detail.

<u>Note:</u> The coastal environment includes the area below mean high water springs (the coastal marine area out to the 12 mile limit), and also areas inland of that line but closely related to the coast such as foreshore above mean high water springs, dunes, beaches, areas of coastal vegetation and coastal associated animals, areas subject to coastal erosion or flooding, salt marshes, sea cliffs and coastal wetlands.

Approximately 69% of the district's population live in the Gisborne urban area which means the majority of the coastline is relatively free from the usual urbanised population pressures.

The coastal environment is a significant characteristic of the East Coast. There is a high demand by people and communities to carry out activities in the coastal environment to provide for their economic and social needs. The coastal environment is especially important for recreational activities and for coastal shipping. The coastal environment is also utilised for some activities such as temporary military training because of the nature of the coastal environment and requirements for coastal locations.

B4.2 Issue – The effects of some activities straddle the administrative boundaries established under the Resource Management Act 1991

Explanation of Issue

Integration between Land and Water

Council needs to ensure integration across mean high water springs as this is the administrative boundary between the management of land and the coastal marine area.

Many land based activities may cause effects on the coastal environment. Also activities in the coastal marine area can create a need for landward components. Other activities such as those undertaken for defence purposes may also require utilisation of areas in the seaward and landward portion of the coastal environment.

Integration between Resources

The coastal environment consists of inter-related systems where it is not appropriate or possible to treat resources separately. With the coast most natural resources are mobile – the medium itself and most of the organisms are continuously moving. The types of movement, current, tides and waves etc., make data collection and management difficult.

Integration between Authorities

The Minister of Conservation determines the national priorities for the management of the coastal environment giving the overall policy framework for regional councils in the NZCPS. Other authorities have responsibilities in the coastal environment that Council will need to liaise with to ensure effective integration. Refer to section A4.3 of the Plan for more details on cross-boundary issues.

Special Relationship with tangata whenua

The Act requires recognition to be given to tangata whenua and their special spiritual, cultural and customary relationship with the coastal environment. The NZCPS recognises tangata whenua are the kaitiaki of the coastal environment. This reinforces the special relationship of the tangata whenua with the coast of the Gisborne district.

The Tairāwhiti Plan must identify matters of resource management of significance to iwi authorities to ensure they are considered as required by the Act, in particular Part 2 of the Act.

Tangata whenua have identified the following matters as being of particular significance to them:

- 1. Lack of opportunity for appropriate iwi/hapu/Māori participation and influence in the decisionmaking process over areas and resources which have been identified as significant to iwi/hapu/whanau and Māori (through lwi Management Plans, Taiapure applications, Mahinga Maataitai reserve declarations, Māori reserves.
- 2. Degradation of water due to discharge of human, industrial, farm and horticultural waters; any effects on physical and spiritual resources of Māori, such as taiapure, kaimoana, waahi tapu.

Water provides Māori with food and spiritual resources. These resources are directly impacted on when subject to various degrees of pollution especially with regard to the mauri of those resources. Any impact on coastal waters seriously restricts Māori use of them, e.g polluted food cannot be used for hui with respect to manaaki ki nga manuhiri, forcing tangata whenua to purchase food. Any spiritual impact on the mauri of the water has an impact on waahi tapu. Those consulted want the degradation of tribal waters to be stopped.

B4.2.1 Objective

1. Management of the coastal environment that is integrated across the boundaries of the coastal marine and inland areas and between agencies, organisations and the tangata whenua.

B4.2.2 Policies

- 1. Part C3 of the Tairāwhiti Plan shall contain objectives and policies for the whole of the Coastal Environment and ensure their implementation through other regional and district provisions where appropriate.
- 2. To consult closely with Māori when developing and implementing plans affecting the coast, and when considering resource consents which raise issues of concern to Māori who are recognised as kaitiaki of the area.
- 3. To ensure close liaison and a good working relationship between Council and other authorities concerned with the management of the coastal environment.
- 4. To recognise and maintain, in as natural a condition as possible, the dynamic, complex and interdependent nature of natural and physical resources in the coastal environment.

B4.2.3 Methods

- 1. Prepare regional coastal and district provisions in the Tairāwhiti Plan to ensure the balance of the coastal environment.
- 2. Develop a strategy for consultation with Māori on resource consent applications that is effective, cost-efficient and avoids unreasonable costs and delay for minor applications.
- 3. Monitor the proposals of other agencies with coastal management responsibilities, and advocate for consistency of purpose with them, where possible.

B4.2.4 Principal Reasons

• **Objective 1:** Integrated management is fundamental to achieving the purpose of the Act. Integration is necessary between agencies and people and across administrative boundaries to ensure consistent decision-making within the whole coastal environment.

- Preparing a Tairāwhiti Plan enables all Council's policies in regard to the coastal environment to be in one document. This will enable greater integration between the coastal marine area and the 'dry' part of the coastal environment.
- Effective consultation with tangata whenua is a statutory requirement.
- Council is not obliged to participate in the processes of other organisations but, unless it does, inconsistency of purpose may result.

B4.3 Issue – The effects of some activities may damage or destroy the natural character of the coastal environment

Explanation of Issue

The community rely on the coastal environment's natural character for many values and uses – be it for spiritual, cultural or recreational values, or the harvesting of primary produce. Protecting the terrestrial and marine ecological and landform values is very important to the overall well-being of the region.

B4.3.1 Objectives

- 1. The preservation of the natural character of the coastal environment including by protecting outstanding natural features and landscapes, areas of significant indigenous vegetation and habitats of significant indigenous fauna in the coastal environment.
- 2. Rehabilitate degraded landscapes and ecosystems within the coastal environment.
- 3. Coastal water quality that is maintained or enhanced.
- 4. Amenity values of the coastal environment arising from the preservation of natural character including the quality of open space are maintained and enhanced.

B4.3.2 Policies

1. To identify, in consultation with the public, DOC and interested organisations, the features which together provide the natural character of the coastal environment of the Gisborne district including outstanding natural features and landscapes and areas of significant indigenous vegetation and significant habitats of indigenous fauna and protect those features from activities the effects of which may degrade them.

Assessment criteria that may be used to identify features, landscapes, areas, habitats and sites of heritage and cultural importance which may be of local, regional, national or international significance could include:

- a) Areas that have been especially set aside under statute (this includes covenants) for preservation or protection purposes.
- b) Areas recommended for protection under the Protected Natural Areas Programme or in reports to the Forest Heritage Fund and the Nga Whenua Rahui Committee.
- c) Landscapes and landforms that have been identified as regionally, nationally or internationally significant.
- d) Visually or scientifically significant geological features, including those identified in the New Zealand Geo-preservation Inventory compiled by the Joint Earth Sciences Working Group.
- e) Characteristics of special spiritual, historical or cultural significance to Māori identified in accordance with tikanga Māori e.g., taonga raranga and waahi taonga mahi a ringa.
- f) Areas where the adverse effects of any activity should be avoided or remedied because they are areas and habitats important to the continued survival of any indigenous species.
- g) Areas containing nationally or regionally vulnerable species or nationally or regionally outstanding examples of indigenous community types.
- h) Outstanding or rare indigenous community types within an ecological region or district.
- i) Habitat important to regionally endangered, rare or threatened species and ecological corridors connecting such areas.
- j) Areas important to migratory species and to vulnerable stages of common indigenous species.

- 2. To develop, and to facilitate the development of statutory and non-statutory resource management plans which give effect to kaitiakitanga and tino rangatiratanga.
- 3. To recognise and protect sites and taonga of value for Māori.
- 4. To allow subdivision, use or development in the coastal environment, particularly in areas already degraded, which:
 - a) Preserves natural character; and
 - b) Avoids, remedies or mitigates adverse effects.
- 5. To promote the rehabilitation of degraded landscapes and ecosystems, using indigenous species of local genetic stock by preference, within the coastal environment.
- 6. To ensure that appropriate subdivision, use and development occurs only where:
 - a) Adequate services such as the disposal of wastes can be provided for.
 - b) The adverse effects of those services can as far as practicable be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying them, to the extent practicable.
 - c) Financial contributions are sought, where appropriate, to offset unavoidable environmental damage in the coastal environment or protect or rehabilitate the coastal environment.

B4.3.3 Methods

- 1. To develop provisions in the Tairāwhiti Plan, in consultation with DOC, Māori, and other interested parties, which preserve natural character by protecting outstanding natural features and landscapes, areas of significant indigenous vegetation and significant habitats of indigenous fauna. The identification of such features and areas using the assessment criteria, but without limiting other criteria, listed in Policy 4.3.2(1) and the compilation of assessment criteria for resource consents are two provisions that will be developed. To develop and to facilitate the development of statutory and non-statutory resource management plans which give effect to kaitiakitanga and tino rangatiratanga.
- 2. To provide information in the Tairāwhiti Plan about significant sites and areas along with any obligation concerning their protection.
- 3. Promote methods of preservation of natural character beyond the scope of the RMA e.g.
 - Provide incentives by way of rates relief, fee reductions and project co-operation for activities which would help to rehabilitate or enhance the region's natural character
 - QE 2 National Trust Covenants
 - Conservation Covenants under Reserves Act 1977
 - Wildlife Refuges under the Wildlife Act 1963
 - Marine Reserves under the Marine Reserves Act 1971
 - Forest Heritage Fund
 - Nga Whenua Rahui.
- 4. Identify areas of outstanding natural features and landscapes, significant indigenous flora and habitats of significant indigenous fauna, together with areas of significant conservation value identified by DOC, and adopt methods in the Tairāwhiti Plan to provide for the protection of these.

<u>Note:</u> Schedule G1 includes Areas of Significant Conservation Value identified by DOC and received by the Gisborne District Council on the 29th of September 1994.

5. Include policies and methods, including rules, in Tairāwhiti Plan that seek to restore and rehabilitate the natural character of the coastal environment where appropriate.

B4.3.4 Principal Reasons

- Objectives: Protection of the natural character is a statutory requirement.
- Objectives: Opportunities for enhancements will arise from time to time and should be taken.

- Objectives: Water Quality is an essential part of natural character and contributes to public use and enjoyment.
- Policies: In order to preserve the coast's natural character, the elements which make up that character must be identified.
- Policies: Assessment criteria for determining areas of value need to be established in the Tairāwhiti Plan in order to establish appropriate levels and means of protection for those values and areas.
- Policies: Tangata whenua enjoy a special relationship with the coast and have a long tradition of using and occupying it.
- Policies: Some activities have the potential to adversely affect or destroy natural character. Such effects need to be avoided or mitigated or consideration given to preventing their establishment in the coastal environment.
- Policies: Some past activities have already degraded areas of natural character and, in such areas, Council should promote rehabilitation and restoration, in order to be consistent with the NZCPS.
- Methods: Natural character will be preserved by protecting areas and sites of outstanding or significant natural values. Opportunities should be taken wherever possible to promote the use of kaitiakitanga and tino rangitiratanga in resource management.
- Methods: Adopting principles for this in formal plans will make these concepts more explicit and useable.
- Methods: Information about natural character will promote understanding and sympathetic development.
- Methods: The approaches listed outside the RMA can be effective in preserving natural character but rely on the co-operation of other agencies in most cases.

B4.4 Issue – Activities in the coastal environment can inhibit natural processes and degrade the ability of natural features and resources to sustain life

Explanation of Issue

Activities such as discharges into the sea and coastal subdivision can threaten the integrity of natural systems and resources. Discharges may introduce toxins into the marine environment that disrupt food chains. Inappropriate subdivision can accelerate erosion by removing sand dunes and other natural features which would otherwise provide a natural buffer. In most cases, vegetation and habitat is altered or destroyed. The resilience of the environment is weakened and its capacity to sustain life is greatly diminished if inappropriate activities are permitted.

B4.4.1 Objectives

- 1. Protection of outstanding natural features, areas of significant indigenous vegetation and significant habitats of indigenous fauna in the coastal environment.
- 2. The protection of the integrity, functioning, resilience and quality of natural coastal processes, natural physical resources and biological communities in the coastal environment.
- 3. Restoration and rehabilitation of areas of the coastal environment where the integrity, functioning, resilience and quality of natural coastal processes, natural physical resources and biological communities has been degraded and appropriate remedial action can be taken.

B4.4.2 Policies

- 1. To avoid, remedy or mitigate the effects of activities which have an adverse effect on biological diversity and ecosystem integrity.
- 2. To encourage activities which could rehabilitate or enhance degraded ecosystems, coastal processes and natural physical resources including water.
3. To encourage subdivision, use and development which takes into account the integrity and resilience of natural processes and recognises that natural features provide buffers against natural processes that might damage an activity.

B4.4.3 Methods

- 1. Identify areas of outstanding natural features, significant indigenous flora and habitats of significant indigenous fauna and, together with areas of significant conservation value identified by DOC, and adopt methods in the Tairāwhiti Plan to provide for the protection of these.
 - Note: Schedule G1 includes Areas of Significant Conservation Value identified by the DOC and received by Gisborne District Council on the 29 September 1994.
- 2. Adopt methods in the Tairāwhiti Plan to ensure that water quality is maintained or enhanced, where appropriate.
- 3. Adopt methods in the Tairāwhiti Plan to limit sedimentation of coastal waters caused by soil erosion. (Refer Issue B8.1)

B4.4.4 Principal Reasons

- The objectives and policies are statutory requirements.
- Methods: The Tairāwhiti Plan is an appropriate document in which to record sites of significant value and adopt specific methods for protection.
- Methods: High water quality is essential to the health and vigour of indigenous marine ecosystems.
- Methods: Marine and coastal ecosystems are adversely affected by smothering with sediment and degraded water caused by soil erosion.

B4.5 Issue – Maintenance and enhancement of public access to and along the coastal marine area

This issue is fully discussed in section B9.2 of the Plan. The provisions there are applicable to the coastal environment and are not repeated here.

B4.6 Issue – Avoiding or mitigating effects of natural hazards on human structures or values

This issue is fully discussed in B5.1 of the Plan. The provisions there are equally applicable in the coastal environment and are not repeated here.

B4.7 Issue – Unsatisfactory water quality in coastal water

Explanation of Issue

Coastal water quality is a matter of concern to many of the district's residents. Water bodies identified as having impaired water quality include:

- many of the district's coastal waters, as a result of high sediment load; and
- the near shore waters of Poverty Bay, as a result of treated sewage and freezing works effluent, stormwater run-off from Gisborne city and sediment from the Waipaoa River.

Poor coastal water quality may reduce the uses that can be made of water and may adversely affect the life-support capacity and productivity of aquatic ecosystems.

High sediment loads in rivers are directly linked to the issue of accelerated erosion. Excess sediment entering coastal waters from rivers may smother marine life and mahinga maataitai (traditional food gathering areas) and adversely affect the life support capacity and productivity of aquatic ecosystems.

B4.7.1 Objectives

- 1. Improvement of the water quality in the rivers and streams draining Gisborne city and the near shore waters of Poverty Bay, where appropriate.
- 2. Recognition of the mauri of coastal waters and restoration of mauri of degraded coastal waters.

B4.7.2 Policies

- 1. To develop and implement a range of land management measures that improve the coastal water quality by reducing sediment entering coastal environments.
- 2. To promote the beneficial outcomes of more sensitive management of coastal riparian margins and, where appropriate, to protect or enhance coastal riparian vegetation.
- 3. To reduce contaminant levels in urban stormwater discharges.
- 4. To establish, maintain and, where appropriate, enhance water quality standards for the coastal environment of Poverty Bay.
- 5. To improve the standard of treatment of Gisborne city sewage.
- 6. To take into account cultural and spiritual values, and the mauri of water, when defining minimum water quality standards, considering waste treatment options, and processing applications for water and discharge permits.
- 7. To implement a risk-based management regime for the region's coastal waters which recognises that receiving waters have varying degrees of sensitivity
- 8. To provide for the maintenance and future development of essential public services such as network utility operations, where these activities meet section 5(2)(a)(b)&(c) of the RMA.

B4.7.3 Methods

- 1. **Policy 1**: Implement the land management methods outlined in B8.1 of the Plan.
- 2. **Policy 2:** Implement the methods aimed at riparian strip management outlined in B9.1 of the Plan.
- 3. Complete a programme of progressively upgrading city sewage and stormwater systems.
- 4. **Policy 3:** Initiate an education programme to provide awareness of the potential adverse effects of the disposal of contaminants into stormwater drains, promote alternative means of disposing of liquid wastes.
- 5. **Policy 3:** Investigate the use of retention lagoons and/or artificial wetlands to promote the "clean-up" of stormwater discharges.
- 6. Periodically review the efficacy of the coastal water quality standards for Poverty Bay, and of establishing water quality classifications for other coastal waters in the region, as a basis for maintaining or restoring water quality at/to a standard suitable for desired uses.
- 7. **Policy 7:** Expand the programme of monitoring coastal water quality in the region (including shellfish monitoring in Poverty Bay), to implement a three tier monitoring strategy.
- 8. **Policy 5:** Complete an investigation of options for improving the standard of treatment of Gisborne city's sewage, including land based disposal, by 1995, and thereafter implementation of the best option.
- 9. Policy 5: Implement trade-waste by-laws by 1995.
- 10. **Policy 6:** Consult with Māori to ascertain the nature of the cultural and spiritual values that they hold in relation to specific coastal water bodies and formalise an ongoing consultation process.
- 11. Review all existing permits to discharge a contaminant into water in the coastal environment and review the conditions of the permit if any discharge does not comply with any standards established in the Plan.

B4.7.4 Principal Reasons

- The objectives address the water quality issues of immediate concern to the people of the district.
- Objective 2: relates to the Council's responsibility to recognise and provide for the relationship of Māori and their culture with water and other taonga [s6(e)]. The mauri (or life force) is a spiritual value of water. All water has varying degrees of mauri, determined by the natural quality of the water and/or historical events or legends associated with the location. This value can be lowered by inappropriate use or contamination, pollution by human waste being the most offensive of all forms of contamination.
- **Policy 1-2:** The reasons for policy 1 and 2 are explained in Part B8.1 and B9.1 of the Plan. Council recognises the role that forestry can play in improving coastal water quality.
- **Policy 3:** Is aimed primarily at addressing the problem of people illegally disposing of contaminants to stormwater drains. It also covers the option of constructing stormwater retention ponds and/or artificial wetlands to provide treatment of urban stormwater prior to discharge.
- **Policy 4:** Recognises the desirability of managing water quality in Poverty Bay using the water classification provisions of the RMA. Policy 4 also recognises that the NZCPS requires that the regional policy statement provisions should address water quality enhancement. This is provided for in Policy 4 in so far as Gisborne District Council is able to enhance water quality in Poverty Bay, for example by improving city sewage treatment practices (Policy 5), recognising that there is very little that can be done about the major river systems that contribute to the Bay's poor water quality.
- **Policy 5:** Recognises the localised physical and ecological effects that the Gisborne city sewage discharge has on coastal water quality, and the effect that sewage discharge has on the cultural values of Poverty Bay waters.
- Policy 6: Reflects Council's statutory obligation towards Māori.
- **Policy 7:** will ensure that:
 - Coastal water quality is managed in accordance with current water classification standards (where applicable), and national and international guidelines.
 - Members of the community are confident that the Council takes its environmental role seriously.
 - Coastal water quality is maintained and enhanced.
 - Council has a framework and direction within the life of its RMA Plans and beyond.
 - The community gains a greater degree of understanding on water quality issues and the risks associated with coastal waters.
- The methods outlined above are considered to represent practical steps that the Council can take to achieve the objectives and implement the foregoing policies.

B4.8 Issue – Point source discharges have a potential to adversely affect the quality of water in the receiving environment but can frequently be controlled

Explanation of Issue

Gisborne District Council has a statutory responsibility to control the discharge of contaminants into coastal waters. Contaminants include any substance which – when discharged into water – changes, or is likely to change, the physical, chemical or biological condition of the water.

Point-source discharges of contaminants emanate from a single (usually controllable) source. Examples include industrial discharges, sewage discharges, stormwater discharges, landfill leachates, dairy and piggery effluents, septic tanks and spills of toxic or hazardous substances.

B4.8.1 Objective

To avoid, mitigate or remedy the adverse effects of point-source discharges on receiving waters.

B4.8.2 Policies

Protection of Existing or Potential Future Uses

- 1. To endeavour to ensure that the effects of any contaminants contained in point-source discharges are such that they:
 - a) do not unduly impact on the receiving environment; and
 - b) do not reduce, after reasonable mixing, the quality of the receiving water below any standards established in any plan for that water.

Matters to be taken into account when Assessing Discharge Proposals

- 2. When considering proposals or applications to discharge contaminants directly to water, matters to be taken into account include:
 - a) the total contaminant load of the effluent [composition/flow rate];
 - b) the assimilative capacity [including available dilution and dispersal] of the water body and existing water quality;
 - c) the need to safeguard the life-support capacity of the water body;
 - d) actual or potential uses of the water body and the degree to which the needs of other water users are or may be compromised;
 - e) scenic, aesthetic, amenity and recreational values including fisheries values and the habitat of trout and indigenous fish;
 - f) allowance for a reasonable mixing zone;
 - g) the potential for bio-accumulative or synergistic effects;
 - h) the actual or potential risk to human and animal health from the discharge;
 - i) measures to reduce the quantity of contaminants to be discharged;
 - j) the cultural and spiritual values of tangata whenua, and
 - k) the use of the best practicable option for the treatment and disposal of contaminants, which in the case of human sewage wastewater, may include the use of land disposal or wetland treatment.

Minimising the risk of contaminating coastal water bodies as a result of spills of toxic or hazardous substances

- 1. To ensure that contingency plans and other measures to reduce the risk and possible effects of any spill event are adopted at all sites where potential contaminants are gathered for storage or disposal.
- 2. To identify areas where urban stormwater is having unacceptable effects on natural water, and to develop the management systems necessary to overcome these problems.

B4.8.3 Methods

- 1. Require resource consents for all point-source discharges to coastal water not allowed for in the Tairāwhiti Plan. Conditions will be attached to resource consents, as appropriate.
- 2. Encourage processing practices to divert resources and enhance the quality of discharges, particularly in the horticultural processing sector, and encourage on-site treatment of effluent by industrial users prior to discharge.
- 3. Require applicants for significant discharges to undertake a comprehensive assessment of effects, taking into account the matters set out in Policy 2.
- 4. Require all applicants for a discharge permit to demonstrate that the quantity of contaminants has been minimised by the proposed treatment method.
- 5. Develop (in association with industry and professional groups and in consultation with affected parties) guidelines and standards, where necessary, for the following activities.
 - stormwater run-off and spills.
 - subdivision and mass earthworks.
 - on-site sewage treatment and disposal.

- installation of underground storage tanks.
- farm waste disposal.
- mining and aggregate extraction.
- 6. Include objectives, policies and methods in the Tairāwhiti Plan to avoid, mitigate or remedy the adverse effects of point-source discharges of contaminants into the coastal marine area.
- 7. Include objectives, policies and methods in the Tairāwhiti Plan to avoid, mitigate or remedy the adverse effects of point-source discharges of contaminants into waters.
- 8. Provide information and advice to the public, industry and land users on the requirement for, and proper handling of, waste discharges.
- 9. Encourage all stockyard, and stock truck depots and associated rural industries to install and maintain appropriate on-site treatment and disposal systems for agricultural wastes.
- 10. Promote the development and use of clean production technologies for industrial and agricultural activities.
- 11. Require the owners of all major facilities for storing potentially hazardous substances [contaminants] to prepare and adopt a contingency response plan to recognised standards, approved by the Council, for dealing with unauthorised discharges and spills.
- 12. Identify areas where there is a significant risk of spills and formulate general response plans for the area.
- 13. Prepare a regional oil spill contingency plan.
- 14. Maintain and deploy, as required, spill response equipment.
- 15. Investigate the causes and consequences of unauthorised discharges and fully utilise the enforcement provision of the Act, where appropriate.
- 16. Maintain an unauthorised incident register and publicly record the occurrence of unauthorised discharge events.

B4.8.4 Principal Reasons

- The objective reflects a statutory responsibility.
- **Policy 1:** is based on the premise that it is reasonable to adopt the position that, after reasonable mixing, the effects of any discharge should not render a water body unsuitable for other uses of the receiving water. The classification of water (i.e. establishment of quality standards) is the principal means by which the community formalises its desired use(s) of a water body. A discharge should not, after reasonable mixing, lower the quality of the water below any classification or standards set for it in a plan.
- Effluent disposal is a legitimate use of water under the Act, subject to safeguarding the life-support capacity of the receiving waters and to meeting the requirements of established standards. Discharges should not result in a significant adverse effect on aquatic life, after reasonable mixing.
- Policy 2: Sets out matters deemed to be relevant to the consideration of discharge proposals, consistent with the requirements and provisions of the Act. The policy does not prevent other matters being considered. In addition, any discharge consent must, after reasonable mixing, comply with criteria established by the Act [section 107(1)]. These criteria establish a set of statutory minimum water quality standards that apply irrespective of whether a discharge is permitted as of right or controlled in some way.
- **Policy 3:** Places the onus on persons responsible for storing potential contaminants to take all necessary steps to reduce the risk of a spill, prepare contingency plans for the eventuality of a spill, and to ensure that any spills are contained and prevented from entering coastal waters.
- Contaminant minimisation reduces the potential for adverse effects and results in lesser use of assimilative capacity. The adoption of the best practicable option (BPO) is not a mandatory requirement and other alternatives will be considered. However, applicants will be encouraged to adopt the BPO.

- **Method 5:** In some cases non-statutory guidelines and standards, coupled with monitoring, enable a sufficient level of control to be established over activities. Guidelines are useful as an educational tool and where ongoing maintenance of systems (e.g. on-site sewage systems) is required.
- **Method 6:** Preparation of the mandatory regional coastal plan provisions provides an opportunity to bring down more detailed provisions for controlling discharges into the coastal marine area.
- **Method 7:** If an adequate level of control is not achieved, it may be necessary in the future to incorporate the guidelines and associated standards as rules in regional plans.
- **Method 6:** Preparation of the mandatory regional coastal plan provisions provides an opportunity to bring down more detailed provisions for controlling discharges into the coastal marine area.
- **Methods 8-10:** The provision of information and advice is seen as essential if Council is to receive the full co-operation and assistance of the public and dischargers in its efforts to maintain and improve water quality within the district.
- **Method 11:** The preparation of a contingency response plan is seen as a logical extension of the duty of the owners of storage facilities to avoid or mitigate the adverse effects of spills (refer s17 of RMA).
- **Methods 13-14:** Council is required to prepare a regional oil spill contingency plan and to maintain and deploy spill response equipment.
- Method 16: The public has the right to know the identity of polluters.

B4.9 Issue – Diffuse (non-point) discharges are frequently a major source of contamination of receiving waters

Explanation of Issue

Non-point or diffuse source contamination of coastal waters arises as a result of the run-off of sediment, nutrient, agricultural chemicals (e.g. herbicides, pesticides) and stock-derived faecal coliform bacteria, from the land. They can be more difficult to control than point-source discharges.

The run-off of sediment [refer also to section B4.7 above], nutrients and organic material represents a loss to the productivity of the land and a potential threat to the sustainability of certain land uses, particularly in the hill country where soils are naturally thinner and losses potentially higher as a result of slope and climatic factors.

Contaminants derived from diffuse sources have a number of adverse effects on receiving waters – including abrasive or smothering effects on aquatic life, excessive algal growth (nutrient enrichment), toxicity (pesticides, herbicides), aesthetic and public health effects (coliform bacteria). Council has the authority to control land use for the purpose of maintaining or enhancing water quality [section 30(1) (c), RMA].

B4.9.1 Objective

1. To avoid, mitigate or remedy the adverse effects on coastal water quality and marine ecosystems of diffuse-source run-off of sediment, nutrient or other contaminants from the land.

B4.9.2 Policies

1. Land Use and Management Practices

To promote land use practices which reduce adverse effects on coastal water quality, including:

- the application of the correct types and quantity of fertiliser.
- the proper use of agrichemicals.
- land development and restoration of disturbed land to reduce diffuse source discharge of contaminants to water;
- stock management procedures to prevent excessive stock entry to waterbodies and their margins and reduce accelerated erosion from overgrazing.
- forestry management practices including harvesting where temporary accelerated soil erosion may occur.

B4.9.3 Methods

- 1. Identify land-based activities which contribute to the run-off contaminants and encourage landowners, via the provision of advice, to adopt management practices, which minimise such run-off (see also B5.3.4 of the Plan).
- 2. Implement a range of land management measures aimed at reducing the rate of erosion and rehabilitating eroded land.
- 3. Encourage the preparation of waste management codes of practice by the industries that dispose of liquid and/or solid wastes to land.
- 4. Discuss with manufacturers and suppliers of agrichemicals and other chemicals, strengthening their education and information provision role, with a view to minimising the potential effects of spray application on water quality.
- 5. Identify coastal waterways suffering from the effects of non-point-source pollution and investigate the potential of riparian management to mitigate these effects.
- 6. Include in the Tairāwhiti Plan and resource consents, appropriate rules [including rules for the creation of esplanade reserves and esplanade strips on subdivision] or conditions for the maintenance or enhancement of riparian vegetation.

B4.9.4 Principal Reasons

- The run-off of contaminants from the land is known to cause a range of on-site and downstream adverse effects (see above). In Gisborne, the most significant off-site effects relate to the impact of sediment run-off [refer to issue B4.7 above].
- **Policy 1:** reflects the Council's desire, in the first instance, to encourage land users to adopt sound land management practices. However, as a unitary authority, Council has the authority to control or regulate land use practices if necessary.
- Riparian strips are a recognised means of preventing or minimising the run-off of contaminants from a range of land use activities and have other beneficial effects including the stabilisation of dunes.
- Nevertheless, Council consider that there will be situations where riparian management can, and should, be implemented to the advantage of individual landowners and the community generally.
- The methods outlined above are practical, low cost steps which the Council can take to address the issue.

B5 ENVIRONMENTAL RISK INCLUDING NATURAL HAZARDS

The provisions of B5 are regional policy statement provisions.

Regional Policy Statement

Part B5 is operative.

B5.1 Issue – Avoiding or mitigating the effects of Natural Hazards

Explanation of Issue

Natural hazards are naturally occurring events in the atmosphere, earth or water which adversely affect or may adversely affect human life, property or other aspects of the environment. The Council is obliged under the RMA and the Building Act 2004 to take steps to avoid or mitigate natural hazards.

The impact of natural processes however may be accelerated or worsened by human activities in vulnerable areas – for example clearance of vegetation, earthworks, building on unstable lands.

The type of natural hazards which are of significance in the Gisborne region include:

- Landslip and slope erosion.
- Flooding.
- Coastal erosion and storms.
- Tsunami.
- Earthquakes.
- Volcanic eruption.
- Fire.

These are all natural physical processes, and hazardous only when they have adverse effects upon human life, property or other important environmental assets. The coastal environment is particularly susceptible to the effects of these natural hazards.

The regional policy statement provisions of the Tairāwhiti Plan outline the measures that should be adopted to avoid/mitigate such hazards.

Landslip and Slope Erosion

Most parts of the Gisborne region consist of hill country which is susceptible to landslip and erosion of various types. These can be regarded as hazards because of:

- a) Risk of damage to life and property.
- b) Loss of the soil resource.
- c) Effects on the natural environment, e.g. loss of water quality, damage to habitats or ecological values, visual degradation.

As parts b) and c) are extensively dealt with in other parts of the Tairāwhiti Plan, this discussion will focus on part a) risk and damage to life and property.

The most commonly affected situation is with development of hill slopes for either buildings or roading and other access. Developments that are unsuitably located or designed could either be affected by erosion or slippage, or could cause or worsen slipping and erosion, to the detriment of themselves and perhaps others.

Flooding

Flooding is a significant hazard in the Gisborne region, due to the rugged terrain, extensive river systems, large floodplains which support human settlement and intensive farming, and regular heavy rainfall events.

The Poverty Bay flats including parts of Gisborne city is the area most intensively settled and developed, and at risk from flooding. The rivers concerned are the Waipaoa River and its tributaries and also the Waimata/Taruheru systems. Other significant areas at risk are the Tolaga Bay flats and the Waiapu River valley. Flood risk exists in many other flat or low lying areas.

The effects of flooding include:

- Injury or loss of life in floods.
- Damage or destruction of buildings, equipment, roading, services.
- Damage or destruction of crops, stock, fences and other productive assets, by water damage and sedimentation.
- Aggradation of river beds, reducing their capacities to carry floodwaters and increasing the impact of flooding.
- Loss or damage to aquatic and marine ecosystem/s.
- Damage to sites of special cultural, historic, or scientific value.

Coastal Erosion

Erosion of the coastline by the sea is common throughout the region. In some cases erosion is episodic and alternates with accretion of the coastline at the same location. Areas where development is known to be at risk from coastal erosion include Wainui Beach, Tolaga Bay, Anaura Bay and Tokomaru Bay. Roading is also vulnerable to erosion in some locations. Erosion can be severe, with many metres of land lost in a single storm, sometimes followed by long periods of little or no erosion.

Associated with coastal erosion is flooding by the sea in major storms which has the potential to damage buildings and other developments even if actual erosion does not result. Depending on the track such a storm takes, temporary flooding or significant erosion could take place anywhere along the region's coastline.

Future factors to take into account include the possibilities of seal level rise and increased storminess due to climate change, both of which could lead to increases in coastal erosion or sea flooding.

Tsunami

Tsunamis are ocean waves generated by processes such as earthquakes, either close to the coastline of New Zealand or sometimes in very distant parts of the world. Occasionally very large waves can be generated, with the potential to create significant damage in low lying coastal areas. There have been up to 37 tsunami events recorded in New Zealand between 1840 and 1980 (not all can be identified with certainty as tsunamis), several of which were observed in the Gisborne region. Perhaps the best known are the tsunamis in 1947 which produced waves estimated at 15 metres in height in the vicinity of Tatapouri and Whangara, damaging houses and bridges. The waves almost crested the sand dune at Wainui Beach between the houses and the sea.

The great majority of the tsunamis recorded produced waves less than 4 metres in height. Damaging tsunamis are therefore low-probability but high-impact events. Parts of the coastline would be considerably more at risk today than in 1947 because of the extra development which has occurred.

It is considered that the areas at risk are largely the same as those areas which could be affected by major storms, which can produce waves of similar size and more frequently. Special responses directed towards purely tsunami are not therefore appropriate.

The appropriate responses therefore are the same as for the coastal hazards discussed above. An additional response is Civil Defence planning.

Volcanoes

There are no active volcanoes in the Gisborne region, although there is geological evidence of volcanic activity in the past. The region however could be affected by major eruptions of the volcanoes in the Bay of Plenty and Central North Island. The effects which could be created include blanketing with dust and ash, pyrolytic flows, earthquakes and tsunamis. Related consequences could include destruction of buildings, crop and stock losses, loss or spoiling of water supplies.

Such events are considered very low risk, because of infrequency. They are certain to occur over periods of thousands of years but unlikely in individual lifetimes. The effects of such events are beyond the scope of land use controls to deal with. The appropriate responses are considered to be in the civil defence field and include understanding and making people aware of the likely consequences of such events, as well as maintaining warning systems and having systems in place to deal with the consequences of events.

Earthquakes

Gisborne is situated in a seismically active part of New Zealand where there is significant risk of earthquake activity.

Moderate or severe earthquakes, although rare, are unforeseeable and could occur at any time.

The effects of earthquakes could include damage to buildings and services, injury or loss of life, disruption of essential services such as electricity, water supply, sewerage, roading and communications. Damage could occur because of general ground shaking, landslides, and fault displacement.

Ground shaking would be by far the most widespread effect and could affect all or most of a region in any major event. Because the effect could be so general, land use planning cannot identify particular hazard zones.

The appropriate response here is with design construction techniques to ensure new buildings can withstand the type of shaking which can be expected, and with strengthening or demolishing older buildings.

Landslides are not only caused by earthquakes. The appropriate response here lies with land use and building restrictions to ensure that development does not occur in areas at risk from landsliding.

Damage due to surface movement of active faults is much rarer, and this effect can only be mitigated by not developing at all over or close to such faults, where these are known. No design or construction technique could prevent major damage or destruction of any building or development in such areas. The correct response here is with identifying such faults on planning maps with associated rules. Unfortunately such faults can be undetectable on floodplains when surface traces of past movements are lost, for example the Edgecumbe earthquake of 1987 which occurred on a previously unknown fault.

Another response to earthquakes is in civil defence planning, to cope with the aftermath of earthquakes.

Fire

Rural fires are a potential hazard in the Gisborne district. Frequent hot dry summers create a regular fire risk in areas of plantation forest, indigenous vegetation and on farmland. Some areas of exotic forest are close to the urban areas of Gisborne and Ruatoria.

The effects of rural fires include:

- Danger to people and property.
- Destruction of indigenous vegetation and ecosystems.
- Destruction of vegetation cover on fragile lands leaving them vulnerable to severe erosion.
- Economic loss where production forests are damaged.

B5.1.2 Objectives

- 1. A pattern of human settlement that:
 - Provides a high level of personal safety from natural hazards for its inhabitants.
 - Avoids or mitigates the risk to property and infrastructure from natural hazards.
 - Does not accelerate or worsen the effects of natural hazards upon the natural and physical environment.
- 2. Rehabilitation, where practicable, of aspects of the environment degraded by natural processes that were induced or accelerated by human activities.

B5.1.3 Policies

- 1. To encourage and facilitate changes, over time, to patterns of human settlement, development and activities which are not affected by natural hazards and which do not induce or worsen the impacts of natural processes, and which recognise and allow for some natural features to migrate inland as a result of dynamic coastal processes.
- 2. To recognise the limitations of attempts to control natural processes by physical work and limit such attempts to appropriate situations where they are:
 - a) needed to protect existing development, or waahi tapu or new public infrastructure such as ports, roads, bridges; and
 - b) have a favourable benefit to cost ratio; and

- c) will not have significant adverse effects on the natural character of the coastal environment, or other adverse environmental effects; and
- d) will not cause or worsen hazards to other lands/waters; and
- e) can be designed with confidence of long-term effective performance; and
- f) are the only practical alternative.
- 3. To maintain a strong commitment to researching, recording and publicising information about natural hazards.
- 4. To recognise that natural systems and features may provide a defence against natural hazards and that the integrity of such natural systems should be protected and enhanced, where appropriate.
- 5. To recognise the possibility of sea level rise and the likelihood of changes to the frequency and impacts of some natural hazards due to climate change and sea-level rise.
- 6. To encourage participation by the affected communities in managing the risks of natural hazards.

B5.1.4 Methods

- 1. Maintain accurate and accessible records and information about natural hazards.
- 2. Incorporate natural hazard information in Council's property databases.
- 3. Identify sites and topics where further knowledge is required and undertake appropriate research.
- 4. Identify areas subject to natural hazards, and natural features and systems which provide a defence against natural hazards, and publish information about them in the Tairāwhiti Plan.
- 5. Adopt methods, including rules, controlling development in areas affected or potentially affected by natural hazards.
- 6. Maintain stopbanks on the Waipaoa River to protect lands on the Poverty Bay flats and within Gisborne city from flooding, to a design standard of 5000 cumecs.
- 7. Maintain existing river and coastal protection works for highways and bridges.
- 8. Adopt rules regarding protection works in accordance with Policy 2 limiting these to appropriate situations.
- 9. Adopt methods to prevent or reduce soil erosion, including rules that control activities which promote soil erosion.
- 10. Develop and maintain an active warning system for such hazards as tsunamis, volcanic eruptions and floods.
- 11. Develop and maintain a civil defence organisation including up-to-date forward planning and operational response capability to emergencies.
- 12. Encourage communities to develop their own emergency response plans complementary to civil defence.
- 13. Provide insurance for major community assets by subscribing to schemes for assistance with major disasters and by providing contingency funds for smaller events.

B5.1.5 Principal Reasons

- The objectives are seen as what is necessary to achieve the requirements of the Act and the needs of the people of the region. They are expressed largely in terms of human settlement and activities, because without these the concerns would be purely natural processes, rather than natural hazards.
- The policies recognise that development has occurred in the past which can now be seen to be
 unsustainable in the long term. It is not economically possible to remedy all such cases
 immediately and improvements can only occur over time. The policies also recognise the
 difficulties and expenses in trying to control natural processes over time by physical works, but that
 there may be occasions when such works are appropriate.

- The NZCPS states that regional policy statements should recognise that natural systems and features provide a natural resilience to natural hazards and should be maintained
- **Methods 1-4:** Accurate information, readily available over time is essential for wise decisionmaking.
- Method 5: Enables the correct response to identified hazards.
- **Method 6-7:** Existing investment and development in Gisborne city, on the Poverty Bay flats, and in the district's roading network rely on protection works from flooding, river and sea erosion. Without the protection, these improvements could not continue to exist. The costs, in human and economic terms, of discontinuing such protection would be enormous and would far exceed the financial and environmental benefits of discontinuing the works.
- **Method 8:** Protection works against natural hazards should not be a routine response but should be confined to the situations listed. The costs and environmental effects of protection works such as loss of natural character, modification or destruction of habitats, and the past ineffectiveness of such works, means a new and more targeted attitude is required.
- **Method 9:** Soil erosion is a major contributor to natural hazards. It causes aggradation of riverbeds which increases their potential to flood. It also causes siltation of land in times of flood. The effects of flooding will not be adequately dealt with until soil erosion is substantially under control.

B5.2 Waste Management and Hazardous Substances – Introduction

Waste is broadly defined as "materials for which there is no current or near future economic demand and for which disposal may be required".

Waste management is seen as a significant resource management issue in the Gisborne district. The community wish to see more efficient use of resources, reduction in the cost of handling waste and the need for disposal sites, minimal contamination of the district's natural resources from the disposal of waste and culturally inoffensive methods of waste disposal to be adopted.

The international waste management hierarchy is mentioned extensively in this section. This is the concept of:

- reduction of waste generated.
- re-use of waste resources.
- recycling of waste resources.
- recovering of resources from waste.
- treatment and disposal of residual waste.

Each stage is regarded as more effective, and therefore more important, than those below it, in reducing the environmental effects of waste.

There have been significant technological advances in the waste management field. It is important that the most efficient and effective methods are identified for consideration for this district's waste stream.

Hazardous substances are any substances which may pose threats to the environment, to human, plant or animal health. They are often equated with hazardous waste but the risks can arise at any time during the existence of such a substance, from production, storage, transport, use and disposal. Hazardous substances include all hazardous wastes (hazardous materials that are regarded as waste) and also substances that are not waste but – because of their physical or chemical properties – pose a risk.

Tangata Whenua Concerns

Waste and its disposal is of great concern to tangata whenua. In the traditional Māori view everything in the natural world possesses mauri (physical life force). Preservation of the mauri of any element of the natural world is essential for its survival.

It is fundamental that any human use of a resource does not affect its mauri. Current waste disposal methods contravene the spiritual and cultural values of tangata whenua. The discharging of waste into local waterways used for human consumption or from which food is gathered is a significant resource management issue.

Water provides Māori with food and spiritual resources. These resources are directly impacted on when subject to various degrees of pollution especially with regard to the mauri of those resources. Any impact on waters seriously restricts Māori use of them, eg polluted food cannot be used for hui with respect to manaaki ki nga manuhiri, forcing tangata whenua to purchase food. Any spiritual impact on the mauri of the water has an impact on waahi tapu, areas used for healing and cleansing, tohi and purification rites. Those consulted want the degradation of tribal waters to be stopped.

B5.3 Issue – Producers and consumers generate excessive waste – this can result in adverse effects on the environment

Explanation of issue

Waste minimisation techniques are those aimed at reducing the volume and/or toxicity of waste and generally are either waste reduction or recycling techniques.

In the past the general attitude to waste management in the community has been "what to do with the wastes we have produced". Responsibility in and near urban areas has been accepted largely by local government. Producers of waste have not had to consider the consequences of waste production. Where local authorities have been unable to accept all wastes or deal with them satisfactorily, then environmental effects have occurred, occasionally severe.

There is a need for a general change in attitude, to one of "how to avoid waste" before we think about how to dispose of it. This change in attitude could have economic as well as environmental advantages. Minimising waste may enable economic use of some present wastes, by re-use and recycling. It will also lead to less demand on natural resources for the creation of new products.

Organic waste makes a significant contribution to this district's waste stream. One means of reducing the amount of this waste, much of which presently goes to the refuse tip, is to compost the appropriate material for re-use. There is general community support for establishing a composting operation.

B5.3.1 Objective

1. Reduction in the quantity of solid, hazardous and liquid waste generated in the region and consigned for disposal or discharged into the environment.

B5.3.2 Policies

- 1. To vigorously apply the international waste minimisation hierarchy.
- 2. As far as practicable, to make generators of waste responsible for the costs of their wastefulness.
- 3. To actively encourage re-use, recycling and resource recovery of materials where practicable.
- 4. To set waste reduction targets based on information gathered on wastes generated and disposed of within the region.
- 5. To actively promote and apply the principles of cleaner production.
- 6. To provide leadership by example in the reduction of waste.

B5.3.3 Principal Reasons

- **Objective 1:** Large scale waste generation is unsustainable because of depletion of natural resources, environmental effects of the disposal, and the costs of disposal.
- Policies 1-6: The policies are intended to implement the international waste minimisation hierarchy. Each step in this hierarchy is regarded as more effective than those below it in reducing effects of waste management. Reduction in wastes at source reduces the total pool of wastes to be managed. Producers may need to be encouraged, or required to achieve this. Direct re-use of materials where possible is cost-effective especially in energy terms because the material is substantially unchanged. Recycling has a high public profile and can be practical, but has high energy, storage and transport costs and markets are not always available. Resource recovery in reducing demand for raw materials, volume of waste for disposal and effects of disposal, but can also have costs. Thus collection of accurate information and careful consideration of costs and benefits, are essential to implement the waste management hierarchy.

B5.3.4 Methods

- 1. Gisborne District Council, will by 30 September 1995, notify regional plan provisions dealing with waste management and hazardous substances.
- 2. Council will develop performance standards as a part of its regional plan provisions dealing with waste management.
- 3. Solid waste stream data will be collected in a manner consistent with the Ministry for the environment waste analysis protocol.
- 4. Council will establish criteria which describe how the adequacy of waste treatment or disposal activities will be assessed.
- 5. Council will utilise a combination of education and regulation to minimise the occurrence of unauthorised discharges and hazardous spills.
- 6. Council will use regulation, education and information to avoid or reduce the adverse effects of non-sewered domestic waste disposal systems on water quality.
- 7. Council will encourage and promote better management of land use practices to avoid diffuse source pollution of waterways, by a combination of education and non-statutory guidelines, service delivery and regulation.
- 8. Council will, by June 1996, develop a database of point-source discharges of contaminants to the district's waterbodies and to have established targets for reductions in volume concentration and number of such discharges.
- 9. Council will take into account and rely on, wherever possible, national legislation, national guidelines, industry codes of practice and other relevant documents.
- 10. Council will adopt the "polluter pays principle" in the event of a hazardous spill, where appropriate and possible.
- 11. Council will require the owners of all major facilities for storing potentially hazardous substances to prepare and adopt a contingency response plan to recognised standards, approved by the Council, for dealing with unauthorised discharges and spills.

B5.4 Issue – The transportation, treatment, disposal and storage of solid waste, including waste from marine operations, can have adverse effects or pose a risk to the environment

Explanation of Issue

Waste disposal sites are often poorly sited with the potential to contaminate land and water resources. Their continual management needs to ensure appropriate rehabilitation.

The burning of waste is carried out at refuse tips to reduce the volume of waste. Often the substances being burnt are unknown and the burning temperature means some materials may release toxic emissions. The burning of waste in residential areas and as a land clearing practice can cause localised air pollution problems. The dumping of rubbish on roadsides or reserves is a continual problem which has adverse effects on the environment.

B5.4.1 Objective

1. No adverse environmental effects caused by inappropriate disposal of residual solid wastes.

B5.4.2 Policies

- 1. To provide for collection and disposal of solid wastes for those communities where an adverse effect on their environment would result, or has resulted, through non-collection of solid wastes.
- 2. To avoid, remedy or mitigate the adverse effects of existing or former landfill and waste disposal sites, including those of leachate on land and water.

- 3. To ensure that new landfills are sited and operated so as to avoid, remedy or mitigate any adverse environmental effects, to maximise efficient use of the district's resources and to avoid the proliferation of sites with contaminated land.
- 4. To minimise the adverse effects of waste ozone depleting substances on the atmosphere.
- 5. To minimise obnoxious odours from landfills and composting plants.
- 6. To reduce the greenhouse impact and potential for explosions from landfill gas.
- 7. To ensure that all people engaged by Council in its function as a territorial authority, or by private operators in the management and/or operation of landfills, receive training which recognises and incorporates the complexity and sophistication of modern landfilling techniques.
- 8. To recover the costs of waste disposal from users.
- 9. To avoid the disposal of solid waste to the Coastal Marine Area.
- 10. To ensure that all collection and transportation of solid waste is carried out in a manner which avoids, remedies or mitigates adverse environmental effects and minimises any potential for nuisance conditions.

B5.4.3 Principal Reasons

- **Objective 1:** While the primary focus of waste management in the district is on minimising waste, it is recognised that there will continue to be some solid wastes requiring disposal. The objective focuses on providing an appropriate system for collecting and disposing solid waste without adverse effects.
- **Policies 1-7:** New, existing and older landfill sites will continue to create adverse effects unless carefully managed. The policies focus on appropriate collection and disposal systems without adverse effects.
- **Policy 8:** It is not fair to spread the costs of waste disposal across the entire community through rates because some areas receive no service and because some people make less use of the service. User charges also provide an incentive to reduce waste.
- **Policy 9:** This gives effect to the NZCPS and is necessary in order to provide recognition of the fact that marine operations can have adverse effects on the environment.

B5.4.4 Methods

The methods for this issue are the same as the methods in section B5.3.4.

B5.5 Issue – Hazardous wastes can be particularly difficult to dispose of and, if incorrectly disposed of, can substantially damage the environment

Explanation of Issue

It is generally accepted that a hazardous waste is any waste that poses a present or future threat to humans or the environment. More specifically hazardous wastes are unwanted materials that exhibit hazardous characteristics such as corrosiveness, explosiveness, reactivity, flammability or radioactivity or otherwise have the potential to damage human, animal and other species.

Hazardous substances are used by agricultural, horticultural, forestry and industrial sectors and commonly used domestic products contain hazardous substances. There will continue to be a need for the disposal of hazardous waste in appropriate facilities.

B5.5.1 Objective

1. Protection of human health and the environment from the actual and potential adverse effects arising from storage, transport, treatment and disposal of hazardous wastes.

B5.5.2 Policies

- 1. To encourage those involved in the production of widely used products whose disposal is of particular threat to the environment to take back unwanted product/s and used containers.
- 2. To ensure that all hazardous wastes are disposed of in a manner and facility approved by the Council.
- 3. To provide effective facilities for recording, managing and disposing of hazardous wastes.
- 4. To ensure all hazardous wastes generated in the district are treated, as and when appropriate, to a state where they are fit for the proposed method of disposal.
- 5. To develop, implement and monitor rules and guidelines identifying approved methods and facilities for the final disposal of hazardous substances in the region.

B5.5.3 Principal Reasons

- **Objective 1:** Hazardous wastes can produce severe impacts upon the environment and especially on the health and safety of people, animals and ecosystems. No other objective would be acceptable.
- **Policies 1-5:** The policies recognise that hazardous wastes will often require more specialised management than other wastes. The policies seek to place responsibility for the management of hazardous wastes on the producers. This is seen as fair and will enable the true costs to be more accurately identified and therefore reduced.

B5.5.4 Methods

The methods for this issue are the same as the methods in section B5.3.4.

B5.6 Issue – Land which has been contaminated with hazardous substances may contaminant soils, pollute natural waters and have impacts on public health

Explanation of Issue

There are a number of actual and potential sites with contaminated land identified in the Gisborne district. The extent of and implications from the contamination are often not known. These could include closed and existing refuse disposal sites, bulk fuel storage sites, timber treatment sites and chemical handling sites, gasworks.

B5.6.1 Objectives

- 1. The risk to human and environmental health from contaminated land is lowered to an acceptable level.
- 2. Minimal risk of any further land within the Gisborne district becoming contaminated.

B5.6.2 Policies

- 1. To encourage any owners aware of their site with contaminated land to register the site/s with the Council.
- 2. To apply the ANZECC guidelines, or such other guidelines as Council may consider to be applicable to a particular situation, to determine the most appropriate course of action for a particular contaminated piece of land.
- 3. To encourage owners of sites with contaminated land to take responsibility for remediation.
- 4. To carry out a programme of investigation to identify all sites with contaminated land in the district.
- 5. To develop and implement appropriate means to promote investigations, remediation trials and other remediation activities including, where appropriate, listing these activities as permitted activities in an appropriate plan.

B5.6.3 Principal Reasons

- There are a few sites with contaminated land in the Gisborne district, arising mainly out of industrial practices, and waste disposal. These can lead to discharges of contaminants to land, air and water, affecting the health and safety of humans, plants, animals and ecosystems.
- The objectives and policies seek to identify and record all sites with contaminated land so that such effects can be either avoided, prevented or mitigated as appropriate. They seek to avoid the creation of further contaminated land and to lower the risks from existing ones.
- Policy 5: seeks to enable remediation and remove unnecessary barriers.

B5.6.4 Methods

The methods for this issue are the same as the methods in section B5.3.4.

B5.7 Issue – Point and non-point discharges of liquid wastes can adversely affect the environment

Explanation of Issue

Reticulated sewerage systems are only available to Gisborne city, Te Karaka and some Te Puia Springs properties. These eventually discharge effluent into Poverty Bay, Waipaoa River and Ratahi Lagoon, respectively. All other properties dispose of sewage on site. Septage, the semi-solid waste that is contained in a septic tank, is generally collected by commercial operators and disposed of either into a reticulated sewerage system or onto land. The latter practice can cause problems of land and water contamination, odour, breeding of rodents and insects, and the transmission of faecal material.

Industry can be an important source of both point and non-point contamination.

Septic tanks can cause localised problems if they malfunction – which is usually due to inappropriate system design for the site characteristics, the tank not being adequately maintained, or the need to relocate the effluent drain.

Agricultural waste from diary, pig or poultry farming can cause land and water contamination and odour problems. Similarly maize waste or silage stored as stock feed can have adverse environmental effects.

Many areas throughout the district are enjoyed by "freedom campers". It is important the waste from such activities and campervans are disposed of appropriately. Also the disposal of waste from moored boats would be managed to minimise aesthetic or contamination problems. Vehicles transporting stock are now usually fitted with effluent holding tanks and there is a need for facilities for emptying these tanks. Stormwater can often become polluted as it passes across land, for example with soil or oil-based products.

B5.7.1 Objectives

- 1. Minimal threat to human health or the environment from the collection and disposal of liquid waste.
- 2. Reduction in contaminants entering surface water from diffuse sources of pollution.

B5.7.2 Policies

- 1. To promote, wherever appropriate and technically and economically feasible, land-based treatment of effluent.
- 2. To promote the adoption of cleaner production technologies in trade waste and agricultural premises.
- 3. To promote the provision of on-board sewage holding facilities on vessels, and the disposal of sewage and refuse from ships at appropriate facilities.
- 4. To encourage the voluntary adoption of treatment and disposal options which have least impact on the environment, and to regulate for this where necessary.
- 5. To develop appropriate standards and practices for the treatment and disposal of farm animal effluent.
- 6. To identify areas where urban stormwater is having unacceptable effects on natural water, and to develop the management systems necessary to overcome these problems.

B5.7.3 Principal Reasons

• The objectives and policies recognise that liquid waste occurs in a number of situations both from point-sources and non-point-sources. The objectives seek to minimise the effects of such run-offs. The policies seek to minimise production of such wastes and provide for appropriate treatment and collection of them prior to eventual discharge.

B5.7.4 Methods

The methods for this issue are the same as the methods in section B5.3.4.

B5.8 Issue – Large portion of the region does not have access to a reticulated sewage system. The effects, especially localised and cumulative, of individuals disposing of their own domestic wastes can be adverse.

Explanation of Issue

Disposal of liquid effluent and periodic disposal of cleanings from septic tanks has the potential to contaminate land and waterways, creating risks to health, ecosystems and to amenity values.

B5.8.1 Objectives

1. Reduction of the impacts on surface and groundwater from non-sewered domestic waste disposal.

B5.8.2 Policies

1. To ensure systems used for disposal of effluent are suitable for the local conditions.

B5.8.3 Principal Reasons

- **Objective 1:** The Council is obliged to control the use of land to avoid adverse impacts on water quality.
- Unreticulated effluent disposal systems will remain common in the region in the foreseeable future. The installation and maintenance is most effectively carried out by owners, but the Council has an important role in educating, advising and if necessary determining the suitability of particular designs and practices for the local conditions.

B5.8.4 Methods

The methods for this issue are the same as the methods in section B5.3.4.

B5.9 Issue – Hazardous substances are frequently an important component of industry. Their transport, use, storage and disposal can, however, expose the environment to significant risk.

Explanation of Issue

Many common substances can be hazardous at some stage during their existence and benign at others. The degree of risk depends on the quantity, concentration and form of the substance and how it is managed.

Hazardous substances can have considerable economic benefits, which is generally why they are found close to people and the environment. Their use can add considerably to the health, prosperity and quality of life of people.

Adverse effects can arise from discharges, spills, and excessive contact at any time. Inappropriate final disposal can be a particular problem because the last owner of the substance may no longer acknowledge responsibility for the substance. Effects may persist for a long time after disposal and may pass into air, land or water by leaching or decay.

B5.9.1 Objectives

- 1. Protection of human health and the environment from the actual and potential adverse effects arising from storage, use and transport of hazardous substances.
- 2. Reduction in the number and consequential environmental effects associated with hazardous substances spills.

B5.9.2 Policies

- 1. To encourage the adoption of cleaner production so as to minimise the quantity and risk of hazardous substances in the district.
- 2. To develop a management system for identifying hazardous substances users, and ensuring that their storage, use and transportation practices are carried out in a manner which minimises the potential risk to the environment.
- 3. To control the discharge of hazardous substances to land, air and water so as to avoid, remedy or mitigate the adverse environmental effects arising from inappropriate use and handling practices.
- 4. To adopt an inter-agency co-ordinated approach to the management and clean-up of hazardous spills.

B5.9.3 Principal Reasons

- **Objectives and policies:** The storage, use, misuse and transportation of hazardous substances has the potential to create environmental effects due mainly to spills and accidents and misuse. These environmental effects, while being of low probability, are often of large magnitude.
- Objectives and policies: These provisions are therefore intended to minimise the quantities of hazardous substances in circulation, to identify and track hazardous substances during their production, storage use and transport stages and to ensure ultimate disposal is carried out in a way which will avoid adverse effects. The regional policy statement provisions prescribe as a function of Council the control of discharges and the use of land to do with hazardous substances. The Gisborne District Council will rely wherever possible on applicable legislation, national guidelines and industry Codes of Practice to avoid unnecessary action on its part, duplication or creating confusion.
- **Methods:** Strategies of minimisation, safe handling, storage, transport and disposal apply to both hazardous substances and general waste management. The two topics are too large and complex to deal with comprehensively in a regional policy statement and, in some cases, rules may be required, which would have to be included in a plan.

The methods recognise the contribution that both the regulatory and educational roles of Council must play if the effects of hazardous substances and waste are to be avoided, remedied or mitigated.

B5.9.4 Methods

The methods for this issue are the same as the methods in section B5.3.4.

B6 FRESHWATER

The provisions of B6 are regional policy statement provisions. The objectives in B6.2.1 are also regional plan objectives.



Regional Policy Statement



Regional Plan

B6.1 Hapu and Iwi cultural requirements for freshwater

Sustaining the mauri of a water body requires management of water bodies that:

- protects the water's capacity to renew its groundwater and surface water flows and stocks;
- sustains habitats, breeding, food sources and migratory requirements of mahinga kai species such as eels, flax and watercress, in their freshwater and coastal environments;
- provides seasonal flow variability via a range of flows including seasonal floods of different magnitudes;
- protects the exchange of freshwater and seawater at the mouth, maintains freshwater flows in estuaries, and prevents the unnatural closing of a river mouth;
- enables the longstanding histories and traditional and cultural uses to be maintained;
- avoids the adverse effects of the unnatural mixing of water from different bodies.

B6.2 Significant resource management issues for freshwater

Issue 1: Ecosystem Health

The Gisborne region has many different freshwater ecosystems that support a diverse range of habitats and species. These are susceptible to adverse effects from inappropriate water abstraction and land uses. What little biological and ecosystem monitoring has been done is generally consistent with results elsewhere. Intensive land use and urban areas are the most impacted through to the least impacts in undeveloped areas. The effect of erosion and sediment on freshwater ecosystems is a particular issue for the Gisborne region.

Issue 2: Water Quality

Water quality is important to the economic, social and cultural well-being of the community. The quality of some waterbodies has been adversely affected by point-source discharges. Contaminants like metals and hydrocarbons are carried in stormwater to rivers, streams and the coastal environment where they can adversely affect aquatic life and impact on community values.

Diffuse discharges in urban and rural areas can also impact on freshwater values. Sediment from land disturbance and erosion, nutrients from livestock and fertiliser application and stock access to waterways and their margins can all contribute to a degradation of water quality if not carefully managed. Infrastructure design, capacity and aging also contribute to water quality issues.

Issue 3: Water Quantity and Availability

The community value water for a range of beneficial uses such as domestic supply, stock watering and food production. The Waipaoa catchment accounts for about 90% of current regional demand and it is predicted that regional demand will increase in the future and challenge the supply of water resources. Freshwater needs to be allocated and used more efficiently to ensure community values are provided for. Over-allocation needs to be addressed to make this happen.

The availability of freshwater can be reduced by land use and climatic factors; we need to make sure that there is a secure supply of clean water for everyone.

Issue 4: Significant Waterbodies

Many waterbodies have values that are significant to the community. This may be economic, cultural, social or environmental significance. The National Policy Statement for Freshwater Management 2014 (NPSFM) requires the significant values of outstanding freshwater bodies and wetlands be protected. However there are other values at the regional level that also need to be recognised. This may include waterbodies that have important ecosystem, recreational or cultural values. Identifying these waterbodies will help to ensure their protection and establish management priorities.

Issue 5: Understanding the Region's Freshwater Resources

It is important that we know as much as possible about our freshwater resources. There are information gaps throughout the region. There are also gaps around the effectiveness of plan provisions in achieving freshwater outcomes. Identifying these gaps and developing solutions is a significant resource management issue.

Issue 6: Recognising Tangata Whenua Values

Freshwater has a cultural, historic and spiritual importance to iwi and hapū of the region. The mauri of a waterbody represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. It is an important element of the spiritual relationship between tangata whenua and the natural environment. The mauri of freshwater has been degraded in parts of the region through inappropriate water and land use.

Mana defines the kaitiaki responsibilities of iwi and hapū, within which they are charged with protecting the mauri of a waterbody over which they have mana whenua. Tangata whenua have indicated that they want to be more involved in freshwater management at both a governance and management level, to give effect to these responsibilities. It is important to acknowledge that kaitiaki responsibilities have not always been recognised and provided for in the past.

Issue 7: Integrated Management

Land, air, freshwater and coastal systems are all inter-connected. The management of natural and physical resources needs to be integrated as much as possible to ensure resource-based activities do not directly or indirectly affect other parts of the environment. This needs to be done in a way that takes account of the region's environmental, economic, social and cultural characteristics and values. Collaboration with stakeholders and the wider community is important in achieving good environmental outcomes and ensuring an integrated approach.

B6.2.1 Objectives

- <u>Note</u>: The Objectives in this section are both Regional Policy Statement and Regional Plan Objectives. They must be read in their entirety and considered together. No single objective has more importance over any other.
- 1. Land and freshwater is sustainably managed in a way that safeguards the life-supporting capacity of freshwater, including ecosystem processes and indigenous species, and the health of people and communities.
- 2. The quality of freshwater is maintained and is improved where it is degraded or does not meet the relevant objectives for the freshwater unit.
- 3. Lakes, rivers, wetlands and their margins are managed in a way that:
 - a) Preserves their natural character and protects them from inappropriate subdivision, use and development; and
 - b) Maintains or enhances their amenity values.
- 4. Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
- 5. Freshwater is available, within limits, to meet the present and future needs of communities to support the social, cultural and economic wellbeing of the region.
- 6. To manage the allocation and use of freshwater so as to:
 - a) Avoid over-allocation and phase out any existing over-allocation; and

- b) Improve and maximise the efficient allocation and use of freshwater, and ensure it is reasonable for its intended use.
- 7. The interactions between land, land use and development, freshwater, and the coastal environment and associated ecosystems are recognised and provided for through the integrated management of freshwater and coastal water resources to maintain or improve their values.
- 8. Freshwater accounting systems are established, and research and monitoring is undertaken that improves the understanding and sustainable management of freshwater resources, including the potential impact of climate change.
- 9. The planning and management of the region's freshwater resources is undertaken in a way that recognises and provides for their kaitiaki role of iwi and hapū and ensures that their values and interests are reflected in the decision-making process.
- 10. The mauri of waterbodies is recognised and provided for and action is taken to sustain and restore the mauri of degraded waters. Actions taken to sustain and restore the mauri of degraded waters will:
 - a) Recognise and provide for the kaitiaki role of iwi and hapū;
 - b) Recognise and provide for mauritanga.
- 11. Mana whenua values, matauranga and tikanga are reflected in resource management processes and decision making, in a manner consistent with the priorities and preferences of mana whenua within the limits of the Act.
- 12. The stewardship role of landowners, water users communities and mana whenua is recognised and provided for through a collaborative approach to freshwater planning, management and monitoring.

Explanation of Objectives

The objectives have been developed based on the outcome statements for freshwater developed through a collaborative process with the Council's Freshwater Advisory Group, and through public consultation prior to the development of the Freshwater Plan. They represent the things that matter most to the community when it comes to how freshwater is valued and used in the region.

B6.2.2 Strategic Policies

- 1. Council will work actively to engage and collaborate with all relevant stakeholders in the planning, management and monitoring of freshwater resources.
- 2. Council will recognise and provide for the relationship of iwi and hapū with freshwater and will work to actively engage and collaborate with iwi and hapū in the planning, management and monitoring of freshwater resources.
- 3. Collaborate with iwi and hap \overline{v} to:
 - a) Recognise their kaitiaki role; and
 - b) Provide mechanisms through which iwi and hapū may exercise their kaitiaki role;
 - c) Identify their freshwater values and priorities, including the development of cultural assessment frameworks for mauri and other freshwater values; and
 - d) Identify targets and methods for the restoration of the mauri of degraded waterbodies.
- 4. Decision makers will:
 - a) Have regard to the mana whenua values, interest and environmental outcomes sought for fresh water and freshwater ecosystems identified in iwi and hapū planning documents, statutory acknowledgements and governance and partnership agreements; and
 - b) Take reasonable steps to:
 - i. Resolve issues identified by mana whenua; and

- ii. Reflect mana whenua values interest and environmental outcomes in the management of and decision making regarding, freshwater and freshwater ecosystems in the region.
- 5. Through catchment planning processes, work collaboratively with local communities including iwi and hapu, landowners, resource users and other stakeholder interests to:
 - a) Identify freshwater values;
 - b) Identify outstanding and regionally significant waterbodies and their significant values for the inclusion in the relevant schedules;
 - c) Develop catchment objectives and methods, including limits and rules, that provide for the values;
 - d) Improve the quality of degraded freshwater bodies; and
 - e) Develop and implement non-regulatory projects and methods that help achieve catchment objectives.
- 6. Council will develop demonstration projects on its own land which provide case studies of best practice for water quality management. These could include:
 - a) Habitat improvement in fish spawning areas.
 - b) Stock exclusion from waterways in priority locations.
 - c) Removal of fish barriers and construction of fish passages in priority locations.
 - d) Low impact stormwater management techniques.

Explanation of Strategic Policies

In order to achieve the objectives for freshwater, the Council, community, iwi and hapu need to work together. Each partner in the water management framework has an important role to play.

Water is a taonga to tangata whenua. Water provides for and sustains all life and is integral to the cultural and personal identity of tangata whenua of Gisborne. The life-giving and life-sustaining properties of water are intrinsically linked to spiritual, cultural, economic and social well-being as well as the identity of Gisborne iwi and hapu. Iwi and hapu have an important kaitiaki role with freshwater and, in particular, in the protection and restoration of the mauri where it has become degraded. Tangata whenua have identified the degradation of water quality due to the discharge of human, industrial, farm and horticultural wastes has degraded the mauri of some waterbodies.

Communities, water users and landowners have a role as stewards of freshwater and freshwater values. Positive action is needed to protect values and restore them where they have become degraded and to identify freshwater values and methods to enable the values to be provided for.

Council has an important role to provide assistance, advice and education resources to support the protection and restoration of freshwater bodies and their values.

Council is also a significant and visible landowner in the region and should play a role in demonstrating how restoration and improvements in freshwater values can be undertaken.

The catchment planning process is a critical component to enable the kaitiaki role of iwi and hapu and stewardship roles of landowners, water users and communities in freshwater management.

B6.2.3 Methods to Achieve Strategic Policies

- 1. Setting up collaborative stakeholder groups to develop each catchment plan.
- 2. Values identified through collaborative process are the basis for the establishment of freshwater objectives and inform the limit setting process for each catchment.
- 3. Work with iwi and hapū to ascertain the nature of cultural and spiritual values they hold in relation to specific waterbodies, for example:
 - a) Identify and name the specific waterbodies within their respective Traditional Rohe;
 - b) Support research that results in a description of the relationship of iwi and hapū with their specific waterbodies
 - c) Ways to respect their respective tikanga wai Māori; and
 - d) Establish the current and desired health and well-being of waterbodies.
- 4. Iwi and hapu, community, water users and landowner input to identifying outstanding and regionally significant waterbodies.
- 5. Iwi, landowners, communities and water user groups working with Council on specifications to improve water quality.
- 6. Development of restoration plans for reaches of waterbodies in Council ownership, including restoration of riparian areas as part of reserve management in areas with regionally significant values.
- 7. Promote and support community projects that aim to improve water quality through localised action. These may be carried out in conjunction with tangata whenua, other Government agencies and organisations as appropriate.

B6.2.4 Catchment Plan Policies

- 1. Identify freshwater values for each catchment plan area, including:
 - a) Compulsory national freshwater values identified in the National Objectives Framework.
 - b) Other relevant freshwater values identified in the National Objectives Framework.
 - c) Other freshwater values not provided for in the National Objectives Framework that reflect the social, cultural, economic and environmental circumstances of the catchment.

- d) Mauri and other tangata whenua values for freshwater and freshwater ecosystems, including any specific values or guidance provided by iwi and hapū planning documents, statutory acknowledgements and governance and partnership agreements.
- e) Any values associated with outstanding waterbodies, regionally significant wetlands or other significant waterbodies and their values to be included in the schedules relating to freshwater.
- 1A. Recognise that sustaining the mauri of a waterbody requires the following matters to be taken into account:
 - a) The water's capacity to renew its groundwater and surface water flows and stocks;
 - b) Maintenance of habitats, breeding, food sources and migratory areas and routes of mahinga kai and taonga species such as eels, flax and watercress in freshwater and coastal environments;
 - c) Maintenance of natural flow variability;
 - d) The exchange of freshwater and seawater at the mouth, maintenance of freshwater flows in estuaries, and avoiding the unnatural closure of a river mouth;
 - e) Longstanding histories and traditional and cultural uses; and
 - f) The potential adverse effects of the unnatural mixing of waters from different water bodies.
- 2. Establish freshwater management units within catchments, taking into account:
 - a) The values identified in Policy B6.2.4(1);
 - b) Environmental, economic, social and cultural characteristics;
 - c) Hydrological connections between surface water and groundwater;
 - d) Land and water use patterns;
 - e) Monitoring requirements and resources
- 3. For each freshwater management unit, establish freshwater objectives and methods, including limits, targets and rules, that:
 - a) Maintain or improves freshwater quality.
 - b) Safeguard the life-supporting capacity of freshwater, including the ecosystem requirements of indigenous species.
 - c) Provide for the freshwater values, including any improvements required for degraded waterbodies.
- 4. Water quantity objectives and methods (including rules) shall include:
 - a) Minimum flows for surface water.
 - b) Minimum static water levels for groundwater.
 - c) Allocation limits for both surface water and groundwater.
 - d) At least one allocation block for each water management unit.
 - e) Mechanisms to ensure water is used efficiently.
- 5. Where community drinking water supplies exist land use, discharge and water treatment activities to ensure that adverse health effects on consumers are avoided.
- 6. Recognise the potential effects of climate change on minimum flows and the natural flow variability of freshwater systems when setting water quality and quantity limits, and the need to maintain flow variability.
- 7. When setting water quantity limits, recognise that many economic uses such as agriculture and horticulture uses require good security of supply. Limits will aim for 95% reliability based on historical flow and aquifer water level data. Limits set will reflect annual, seasonal and monthly reliability scenarios.
- 8. Recognise and take into account cultural and spiritual values, and the mauri of water, when setting water quality and quantity objectives and methods and managing freshwater.

- 9. Catchment plans shall consider the development and implementation of non-regulatory methods to help improve water availability, water quality and aquatic ecosystem health. These could include:
 - a) Good management practice guidelines including promoting relevant industry good management practice guidelines;
 - b) Demonstration projects and case studies;
 - c) Provision of advice and information at a farm/property or activity scale on improving water quality;
 - d) Financial assistance programmes for riparian retirement, wetland protection and development and restoration of priority waterbodies;
 - e) Assist in the investigation of water storage and aquifer recharge projects.
- 10. Ensure that limit setting and the management of groundwater and surface water bodies considers the effects on the quality of hydrologically connected surface water and groundwater systems.
- 11. Where there are no attribute states identified in the National Objectives Framework, objectives shall be informed by relevant water quality and quantity standards, guidelines such as the ANZECC Guidelines (2000) trigger values, and any relevant water quality data.
- 12. Where no catchment plan or catchment plan objectives have been developed:
 - a) Groundwater abstraction shall be at a rate no greater than the capacity of the aquifer to replenish.
 - b) Surface water abstraction shall not take surface water flows below 90% of mean annual low flow.
- 13. Consult with, and consider the views of, neighbouring councils when setting limits for waterbodies across regional boundaries.

Explanation of Catchment Policies

Setting of water quality and quantity objectives is a key part of the NPSFM. The National Objectives Framework (section CA) sets a framework for this process. The policies are intended to work alongside these national requirements. In Gisborne these objectives will be set during the catchment plan process.

The catchment planning process has an important link with the policies for working together. The process should be done in collaboration with iwi/hapu and community stakeholders.

B6.2.5 Methods to Achieve Catchment Policies

- 1. Values of freshwater bodies, including priority values, are identified in catchment plans and freshwater objectives established to provide for the identified values.
- 2. Evaluation of the mauri of waterways to be undertaken as part of catchment planning.

B6.2.6 Integrated Management Policies

- 1. To improve integrated management of natural and physical resources by recognising and providing for the interactions between freshwater, land and its uses, and the coastal environment and associated ecosystems when developing or reviewing planning provisions.
- 2. Manage the use of land and freshwater so that coastal water quality and ecosystems are maintained or improved where degraded.
- 3. Work with neighbouring councils to develop catchment plans for cross-boundary waterbodies.
- 4. Manage activities in and around waterbodies so that the efficacy of flood protection structures and mechanisms is maintained.
- 5. Manage the adverse effects of land use to maintain water quality, or improve it where it is degraded, and protect and the physical form and character of rivers, lakes and wetlands and their margins.

- 6. Develop and implement a range of regulatory and non-regulatory land management measures that improves water quality by reducing sediment entering waterways.
- 7. Work with industry organisations to promote land use practices which reduce adverse effects on water quality, including:
 - a) Good management practice in the use of fertilisers and agrichemicals.
 - b) Land development and restoration of disturbed land to reduce diffuse-source discharge of contaminants to water.
 - c) Reducing stock access to waterbodies and their margins.
 - d) Land management practices, including the discharge of contaminants to land, that avoid or reduce contamination of groundwater aquifers.
 - e) Forestry management practices that reduce soil erosion and the deposition of forestry slash in waterbodies.
- 8. Promote and help investigate, where practicable, water storage and aquifer recharge opportunities that provide for the economic, social and cultural well-being of communities.
- 9. In addition to measures to avoid, remedy or mitigate adverse environmental effects, consider the use of:
 - a) Biodiversity Offsets in circumstances where there are ecologically significant residual adverse effects; and/or
 - b) Any proposed environmental compensation or other measures that will result in positive environmental effects.

Explanation of Integrated Management Policies

Integrated management between land use, freshwater and the coastal marine area is an important part of achieving the freshwater objectives. The policies identify aspects of integrated management that should be considered at various levels of resource management.

However it should also be recognised that the Freshwater Plan cannot achieve integrated management alone. It is not intended to cover all aspects of environmental management. As other Council plans are developed and reviewed, there are opportunities to build upon and improve integrated management.

B6.2.7 Methods to Achieve Integrated Management Policies

- 1. Catchment plans to identify any additions to outstanding waterbodies, regionally significant wetlands and other scheduled waterbodies in the Plan.
- 2. Catchment planning for cross-boundary waterbodies to involve the neighbouring Council/s. The Motu, Waioeka, Hangaroa, Ruakaturi and Whangaparoa are all identified cross boundary waterbodies.
- 3. Manage land use intensification through specific rules in this Plan.
- 4. Manage specific land use activities causing discharges of sediment through the Plan.
- 5. Encourage and support the development of Farm Environment Plans with priority given to intensively farmed stock, commercial vegetable growing or cropping activities.
- 6. Continue to encourage the retirement and planting of riparian areas in the region to:
 - a) Improve water quality by mitigating the effects of land use activities, including through the reduction of sediment, nutrient and pathogen contamination.
 - b) Enhance the habitats of indigenous flora and fauna.
 - c) Indirectly mitigate the effects of the take and use of surface water on water temperature and the assimilative capacity of rivers and streams.
 - d) Enhance natural character.

B6.2.8 Research and Monitoring Policies

- 1. Research and monitor the effectiveness of this Plan in achieving the objectives and outcomes sought for freshwater, including monitoring consent condition compliance.
- 2. Undertake ongoing monitoring of the state of freshwater bodies and associated freshwater attributes, including:
 - a) Freshwater quality.
 - b) Freshwater ecosystems, including native freshwater species.
 - c) Surface water flows and availability.
 - d) Contributing to and supporting the assessment of mauri.
 - e) Groundwater levels.
- 3. Undertake research which will help inform future catchment plans and reviews of the Tairāwhiti Plan including:
 - a) Land use trends in different catchments and impacts.
 - b) Impacts and mitigation measures for discharges from oil and gas industry, farming, forestry, horticulture, mineral and rock extraction.
 - c) Methods to reduce bacteria levels in all waterbodies.
 - d) Options for improving stormwater quality.
- 4. Collaborate with stakeholders to undertake freshwater research and monitoring, including support for community-based research and monitoring programmes.
- 5. Where the Council holds no baseline water quality, aquatic biota, habitat and/or flow data the assessment of environmental effects (AEE) provided by the applicant for resource consents must include sufficient baseline monitoring of any waterbodies reflecting the nature and scale of the activity, to enable an adequate assessment by environmental effects.
- 6. Where consented activities may produce environmental effects such as groundwater or land contamination, or reduction in groundwater levels which can be slow to appear, monitoring of the consented activities' effects shall be required as part of resource conditions. The monitoring shall reflect the nature and scale of the activities with costs associated with this monitoring to be met by the resource consent holder.

Explanation of Research and Monitoring Policies

Council undertakes three main types of monitoring around freshwater:

- 1. State of the environment monitoring.
- 2. Monitoring of effectiveness and efficiency of our plans in achieving their objectives.
- 3. Compliance monitoring of resource consents.

Together this monitoring will inform the implementation of the Plan and its reviews. Achievement of the objectives for freshwater will be something that occurs in the long term rather than the short term. Where the region's freshwater bodies are under-represented in the monitoring network new sites will need to be established. In order to have useful information to set water quality and flow limits, at least five years' worth of data is needed. Setting and reviewing limits through the catchment plans will generally be made with at least five years' worth of data.

In terms of water quality attributes, there are some indices – particularly macroinvertebrates (water bugs), periphyton (a complex mixture of algae, cyanobacteria, heterotrophic microbes, and detritus that provides the slime and filaments on freshwater substrates) and native fish where there is also limited information currently held by the Council and limits will be set in subsequent reviews of the catchment plans once that information is available.

As a result of some of the issues identified through the development of the Plan, further research needs have been identified – particularly around ways to improve water quality where this has been degraded, and how to manage the effects of a range of activities. New research needs will also be identified through the development of catchment plans.

B6.2.9 Methods to Achieve Research and Monitoring Policies

- 1. Council to develop an overall research and monitoring programme that includes working with a range of stakeholders.
- 2. Require monitoring data to be collected as part of resource consent conditions that reflect the nature and scale of the activity (eg. water quality data for discharges).
- 3. Research sufficient information to develop a water quality classification for all rivers, streams and lakes in the region.
- 4. Continue to investigate and clarify the nutrient, sediment and bacterial losses of different land uses, good nutrient, sediment and bacterial management practices.
- 5. Undertake further work to identify the boundaries and extent of the region's groundwater resources.

B6.2.10 Principal Reasons

- Under the Objectives and Policies, freshwater in the region is managed to:
 - Safeguard the life-supporting capacity of ecosystems.
 - Provide drinking water and for the wider needs of communities, including economic uses.
 - Enable the exercise of customary uses.
 - Preserve the mauri and natural character values of freshwater and protecting lakes, rivers and wetlands and their margins from inappropriate use and development.
- Ideally, a freshwater body should be managed to provide for a wide range of these uses and values but, where this cannot be achieved, an assessment of the relative importance of their values will need to be made in each catchment.
- Efficiency of use is a key mechanism to enable the competing demands for water to be able to be met. In some parts of the region, waterbodies are fully or over allocated. Efficiency in allocation and use of water means that those resources under pressure will be better able to provide for the future needs of the community, while also maintaining intrinsic values which are important to the region.
- While regional rules in the Tairāwhiti Plan are a key tool being used by the Council to manage freshwater quality and quantity, the objectives will not be achieved without all stakeholders in water taking action to maintain, where needed, improve the state of our waterbodies. Ongoing research, monitoring, advice, information, education and incentives are also needed.

B7 CULTURAL AND HISTORIC HERITAGE

The provisions of B7 are regional policy statement provisions.



Regional Policy Statement

Part B7 is operative.

B7.1 Issue – Recognition and protection of the historical and cultural value associated with sites, including historic places and waahi tapu

Explanation of Issue

The Gisborne district is rich in Māori and European heritage, a good deal of which remains known and obvious.

As it represents the earliest of the country's history there is an obligation to record and protect it. This responsibility is embodied in the Treaty of Waitangi and the RMA. It should therefore underpin the process which promotes sustainability and the management of effects on the natural and physical resources. Recognition and protection of heritage values is important for the welfare of the people of the region. This is particularly so in the Gisborne region (including the coastal marine area) which is rich in Māori heritage and is the location of the earliest European contact. However protection and preservation cannot be achieved by regulation alone but also requires resources and commitment by the community. A successful strategy of heritage protection will therefore require an integrated approach that covers the whole region including the coastal marine area.

Insufficient resources have been applied to the identification of places and items of historical significance. While much research and recording has been carried out coverage of the region is not total. There is not total agreement about the appropriateness of recording information about heritage sites in a public form. There is also a lack of understanding of those items that have heritage value. A comprehensive study should be undertaken to fully appreciate the extent of the resource and to establish priority for future work.

There is an urgent need for a planning document that establishes a strategy to ensure that the heritage values of the region are recognised and provided for. At present there is little guidance on what is considered important to the region, the management of effects or the processes which are important to protect places and items of historical significance.

In addition to the RMA, there is a range of legislation controlling heritage including the New Zealand Heritage (Pouhere Taonga) Act 2014 which need to be considered.

Responsibilities

The RMA and other legislation, make it clear that Parliament expects heritage values to have a high profile in the management of effects on the natural and physical resources of the region. This will require an understanding of heritage values, recognition of heritage items, rules for protection and resources for preservation and enhancement.

Heritage Values

In addition to the responsibilities imposed by legislation there are strong cultural, social and economic reasons for protecting New Zealand's heritage. Heritage items such as buildings and places, have values in their own right and are increasingly becoming a rare and unique resource as time passes.

They are part of the natural and physical resources of New Zealand that should be managed in a sustainable manner. Historic items are visual aspects of New Zealand's development and should be protected as a record of the country's history. The manner in which previous generations lived, worked and played is a window of society and portrays the influences that have shaped the emerging culture of the community. It can also demonstrate reasons for decisions taken in the past that have had both positive and adverse effects on the environment.

There is a responsibility to record the past for the benefit of future generations. It cannot be achieved alone but will require consultation with the community, and special interest groups. The benefits can be considerable and long term in respect of education, cultural and spiritual stability, social well-being, community identity, efficient use of resources and economic returns.

Waahi Tapu

Section 6(e) of the Act makes it a matter of national importance to recognise and provide for the relationship of Māori people and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Waahi tapu has been deliberately left undefined in the Act. This is because it should be left up to iwi/hapu to both define and disclose to resource management agencies the existence and extent of waahi tapu in their areas.

The duty of the resource management agencies is to recognise and provide for such places. If information is produced at any hearing, an application may be made by iwi/hapu to have it treated as sensitive information (section 42). It would then only be available to authorised persons.

Means

How to apply the sparse resources available to heritage protection is a matter of concern nationally, as well as in the Gisborne region. As a result, priority needs to be accorded to the most important items with other measures implemented to encourage voluntary action by the community. Competing with protection is the demand for new development which often unwittingly destroys heritage values.

The ravages of time also hastens the demise of historical items, as fabric wears out and nature changes the landform. The first priority therefore becomes the raising of public awareness of historical items and heritage values and the importance of identifying and recording places, objects, buildings and events. Then, as resources permit, the priorities would be legal protection, preservation, restoration and conservation. The means of achieving these goals ranges from acquisition, subsidies, incentives, education and rules.

B7.1.1 Objective

To recognise and protect heritage values including those of Māori whenever these are affected by the use or development of natural and physical resources.

B7.1.2 Policies

- 1. To ensure the effects of development proposals on significant heritage values in the region are avoided, remedied or mitigated. A heritage value should be considered significant if:
 - a) It is particularly old, rare or unique within the district.
 - b) It is found only within the district or contributes to the distinctive or unique character of the district.
 - c) It is used, valued or appreciated by the district community as well as the local community.
 - d) It is considered by Iwi to require a district approach.
 - e) It relates to land owned or managed by the Gisborne District Council.
 - f) It is of national significance.
- 2. To further the understanding of matters that have historical and cultural significance to New Zealand and the region.
- 3. To consult with landowners and recognise the rights of landowners to reasonable use of their land.
- 4. Establish links between the Government, local authority and special interest groups to ensure the integrated management of heritage understanding and protection.
- 5. Involve Māori in the recording and understanding of Māori heritage.
- 6. Seek assistance of people and agencies who have special knowledge in Māori history and culture.
- 7. Devise appropriate means of recording knowledge of Māori heritage while respecting the spiritual and cultural relationship with significant places and items.

- 8. Recognise that some groups within Māoridom do not favour public recording of cultural and heritage sites and that other approaches may be required in such cases.
- 9. Involve Māori in the protection and preservation of places and items of historical significance.
- 10. Involve Māori in the decision-making process relating to the management of effects as they relate to heritage values.
- 11. To recognise and use the conservation principals contained within the ICOMOS New Zealand charter for the conservation of places of Cultural Heritage Values when making decisions that might affect heritage resources of the region.
- 12. To promote the protection and conservation of heritage sites by the use of incentives and regulatory mechanisms in district and regional plans.
- 13. To recognise and promote as appropriate Councils heritage protection authority status as a method of conserving the region's heritage.
- 14. To ensure that heritage matters are adequately assessed as part of the resource consent process.

B7.1.3 Methods

- 1. Prepare a Regional Heritage Plan as the principal means to ensure the integrated management of natural and physical resources as they impact on heritage values.
- 2. Complete a comprehensive study of all places, items and events of historical and cultural significance which relate to particular places in the region.
- 3. Incorporate the findings of the study in the Regional Heritage Plan and publish the findings of the study widely to improve public awareness of the heritage values in the region.
- 4. Convene a forum of all interested people and agencies to co-ordinate efforts in identification and recording of significant historical places and items.
- 5. Utilise existing agencies and funding in an integrated manner to start a comprehensive study.
- 6. Seek further funding to extend existing efforts.
- 7. Seek assistance from people or agencies that have special knowledge in the various areas of heritage and cultural values relating to the region.
- 8. Utilise an agreed method of identification and recording to ensure consistency and accuracy.
- 9. Involve Māori in the proposed heritage study.
- 10. Establish dialogue with Māori to devise methods of identifying and recording Māori heritage.
- 11. Develop databases including, if necessary 'silent files' to be held by hapu and disclosed at their discretion, of waahi tapu and other sites of cultural significance, for use in the assessment of proposed plans, resource consents or other development proposals.
- 12. Ensure consultation with appropriate iwi or hapu groups on all proposed plans or resource consents which have the potential to affect Māori cultural or heritage values or waahi tapu.

B7.1.4 Principal Reasons

- **Objective 1, Policy 1:** The protection and preservation of the regions heritage is important for education, cultural and spiritual stability, social well-being, community identity, efficient use of resources and economic benefit.
- **Policy 2:** It is only through a proper understanding of the heritage values that exist in the region, will an effective protection process be achieved.
- **Policies 5-10:** The involvement of Māori in the identification and recording of places and items of historical significance is important to gain a proper understanding of the significance and value. Likewise they should be involved in the statutory process in the management of effects if meaningful decisions are to be made.

- The ICOMOS New Zealand charter for the conservation of places of cultural heritage values contains important principals that should be applied to decisions on the region's heritage resources.
- The Council has a number of regulatory and non-regulatory options to achieve the protection of heritage values. Policies 11-14 reflect the main options and tools available.
- A plan is required to establish a strategic framework for the promotion and protection of heritage values and co-ordinate the efforts and resources of those involved.
- It is unlikely that a major one-off study could be funded nor is it necessarily desirable. The first priority should be to integrate existing efforts and seek further resources.
- Methods 1 -8: Unless this is achieved the value of information will be limited.
- **Methods 7-10:** Involvement of Māori is essential for a proper understanding of the issues that are likely to affect Māori heritage.

B8 LAND MANAGEMENT

The provisions of B8 are regional policy statement provisions.

Regional Policy Statement

Part B8 is operative.

B8.1 Issue – Soil erosion and protection of erosion-prone land

Explanation of Issue

Soil erosion is a major issue in the Gisborne region and closely related to other issues such as water quality and natural hazards. It causes environmental degradation through siltation, flooding, reduced water quality, decreased or lost productivity of land, threat to property and life, lowered amenity and intrinsic value of the environment, and cultural affront. Soil is a valuable resource which, unless managed in a sustainable manner, can be consumed like a finite resource.

The soil erosion is due to extensive areas of soft and highly erodible rock types in the region, aggravated by large-scale clearance of the original native forest for pastoral farming. The main Raukumara Range consists of moderately hard sedimentary rocks from the Cretaceous period that are relatively stable. In places these have been fractured or crushed by tectonic movement. They are highly erodible and the major cause of aggradation and river channel modification downstream, e.g. Upper Mangatu catchment.

Geologically young sedimentary rocks extend eastwards towards the coast, dominated by soft mudstones containing swelling and shrinking clay minerals such as montmorillonite and bentonite.

The East Cape peninsular is uplifting at about 4mm a year. Geologically this is very fast and results in rapid downcutting of river systems and erosion of the soft rocks.

The climate also contributes to rapid erosion. Occasionally very deep depressions of tropical origin carrying large quantities of water bring strong north-east or east winds and heavy rainfall. These storms cause major pulses of erosion, e.g. in 1977, 1985 and 1988. As well, intense localised storms or long periods of intermittent rain saturate the soil and leave it vulnerable to erosion.

There are 359,000 ha of eroded or erosion-prone hill country in the district capable of sustained productive use. Of this total, 257000 ha can be used for (activities like) production forestry with minimal restraints on forest management and logging practices, or pastoral farming, provided that soil conservation measures are installed and maintained. There are additionally, 89,000 ha where the only sustainable productive use is forestry. Harvesting of these forests may possibly be subject to a consent process. In Council's judgement, the remaining 15,000 ha is best left in indigenous or reverting vegetation.

Tangata whenua have identified soil erosion and its consequence as an issue of major significance to them. These effects include loss of land productivity, sedimentation of waterways, aggradation of river beds, increased flood risk, siltation of land, impeded drainage of lands, loss of natural species and habitats. Impacts include inability of Māori to support themselves from traditional lands and food sources, destruction of sacred sites, destruction of natural features of the tribal rohe, and the loss of the Māori identity of the environment.

B8.1.1 Objectives

- 1. Rehabilitation of eroded land and stabilisation of erosion-prone land.
- 2. To protect downstream natural and physical resources from the adverse effects of accelerated soil erosion.
- 3. To minimise the degradation of the soil and land resource caused by poor land management systems and unsuitable land uses.

B8.1.2 Policies

- 1. To facilitate and encourage land uses and management practices such as forestry, soil conservation works, riparian management techniques, retirement and regeneration that reduces the level of accelerated soil erosion,
- 2. To discourage land uses and management practices which cause or maintain accelerated soil erosion.
- 3. To promote methods to address soil erosion that are complementary and targeted to the more severely affected areas.
- 4. To promote and encourage resource user sectors to adopt voluntary measures and techniques such as self-regulation and monitoring to achieve the purpose of the Act.
- 5. To encourage responsibly-managed afforestation including harvesting, recognising that there may be temporary accelerated soil erosion associated with the activity.
- 6. To recognise that it is not always possible to practically or economically treat erosion on class 8 land, and that retirement of land may be the appropriate response.
- 7. To encourage the pastoral farming industry to adopt principles of sustainable management.
- 8. To provide for the maintenance and future development of essential public services such as network utility operations, where these activities meet section 5(2)(a)(b)&(c) of the RMA 1991.

B8.1.3 Methods

1. Develop and implement Tairāwhiti Plan provisions that will provide for sustainably managed activities while incorporating controls for accelerated soil erosion, preservation of significant natural vegetation and habitats, (method B9.1.3(3)), control of diffuse-source discharges to water, management of riparian margins, retirement of untreatable land and other aspects of sustainable land management.

Provisions will be developed in consultation with tangata whenua, land user groups such as the farming, forestry sectors, the Department of Conservation and the NZ Defence Force and other interested parties. Provisions to address the issues may include self-regulation, education, advocacy, objectives policies, rules and other techniques to achieve the purposes of the Act.

- 2. Carry out a study which will identify whether it is feasible and appropriate to:
 - Extend the existing controls which apply to vegetation removal and earthworks to require all landowners to avoid remedy or mitigate the effects of uses and practices which cause soil erosion.
 - Determine which classes of land should be the subject of such controls.
 - Operate an 'eroder pays' principle whereby those carrying out an activity contributing to accelerated soil erosion pay compensation towards ameliorating the effects.

As part of this study Council will consult with tangata whenua, landowners, the farming and forestry sectors, central government and other interested parties. The outcomes of this study and consultation will be reported back to the Council and interested parties by mid-2002 and changes to plan provisions will be proposed if necessary.

- 3. Implement a concerted programme of education for the general community, interest groups and Government agencies with respect to soil erosion and rehabilitation.
- 4. Implement a programme of advocacy and education of landowners to encourage sustainable land uses.
- 5. Ensure Council initiatives are complementary to central Government initiatives.
- 6. Where funding is available provide technical advice, material or financial soil conservation assistance to landholders.
- 7. Vigorously promote and encourage central Government assistance to address the soil erosion issue.

8. Include in the Tairāwhiti Plan district provisions providing for activities such as farming, forestry, temporary military training and search and rescue exercises, in appropriate areas and circumstances.

B8.1.4 Principal Reasons

- The effects of erosion including soil loss, productivity loss, siltation of water, river aggradation, landslip, flooding, loss of aquatic habitats are serious and should be avoided or mitigated.
- The best means of addressing soil erosion is to encourage responsibly managed land uses and to bring about changes to land uses and practices which cause or contribute to erosion. Changes will not occur unless landowners understand the need for them, and are encouraged to achieve them.
- The best options will vary with the characteristics of the site and the circumstances of the owners. There are also several processes available for achieving such land uses, ranging from direct works to education, advocacy, self-regulation to regulation. All of these are relevant, and will be used.
- In particular the importance of private sector forestry as a means of controlling soil erosion is
 recognised. This is suitable on all classes of eroding or erodible land and is particularly suitable for
 stabilising the more severely eroding land. However forestry will not be confined to only the more
 severely eroding land in order to protect the economic viability of the pastoral farming industry
 and its support services. Forestry has a range of economic benefits, and environmental risks which
 need to be managed.
- Government involvement is considered necessary in recognition that the huge scale of the problem is beyond the resources of landowners and the Council. Carefully targeted financial assistance will both encourage landowner involvement and – in some cases – make commercial participation economically viable.
- Erosion of Class 8 land is not always able to be practically or economically treated. Such lands should be retired and allowed to regenerate naturally as far as possible but some sites are beyond the point of no return and erosion will continue to occur there. Much of the Class 8 land is in indigenous vegetation and within the conservation estate. It should not be assumed that Class 8 land is automatically the land most severely affected by erosion.
- The avoidance, remediation and mitigation of soil erosion is not the only component of sustainable land use. While farming and forestry are major land uses in the region, the promotion and encouragement of a diversification of uses will assist in the development of sustainable systems to ensure the needs of future generations are met.
- Regional policy focuses on changes in activities affecting land and does not address existing unsustainable uses that simply continue.
- There is a need to expand this plan to deal with other aspects of sustainable land management. This will require a study to establish the feasibility and likely effectiveness of regulatory and economic techniques. The development of a sustainable management plan will enable all interested parties, including tangata whenua, the forest industry, the farming industry, and conservation groups to have input into developing a strategy for sustainable land management.
- The Council recognises that landowners and land users have a long term interest in the resource and that some of these groups have expressed an interest in designing their own set of environmental standards and codes of practice to be incorporated into the sustainable land management plan. These initiatives, if properly conducted, are consistent with the principle of encouraging users to take responsibility for the effects that their activities may cause.
B8.2 Issue – The detrimental effects of pests on the integrated resource management

Explanation of Issue

Weed and animal pests have many adverse effects on the environment. These include creating a threat to indigenous ecosystems and also to increasing erosion with all the concomitant environmental costs.

Although pest control is a Council function, it is not a specific role under the RMA. However, because of the adverse effects pests have on the environment, Council can address pest issues in the Tairāwhiti Plan in the context of providing effective integrated resource management. Council's specific pest control function comes from the Biosecurity Act 1993. Here, Council is responsible, in association with other agencies such Ministry of Primary Industries (MPI) and DOC, for the regional administration of legislation concerned with the control of different terrestrial and aquatic pests. The principal method of implementation will be Regional Pest Management Strategies. Pest management strategies will effect a partnership between Council, DOC, MPI, other agencies such as NZTA and Land Information New Zealand (LINZ).

B8.2.1 Objective

1. Avoidance or mitigation of the adverse effects of pests on the environment, such as increased soil erosion and reduced indigenous ecosystem and species diversity.

B8.2.2 Policies

- 1. To identify and co-ordinate responsibility for pest control between agencies and individuals on Crown, lease and freehold land.
- 2. To work with agencies in neighbouring regions to ensure compatible policies and to maximise the effectiveness of control programmes.
- 3. To ensure that soil conservation measures within regional/district plans confer responsibility for control of pests contributing to erosion.
- 4. To assess priorities for pest control and ensure that adequate resources are available for the effective implementation of Council's pest control programmes.

B8.2.3 Methods

- 1. Develop Regional Pest Strategies (in consultation with others) under the Biosecurity Act 1993 to establish and co-ordinate responsibilities for aquatic and terrestrial pest control.
- 2. Consider implementing rules to govern potential pests which are kept domestically or farmed.
- 3. Support other agencies in their efforts to ensure they have adequate resources to meet their pest control obligations.
- 4. Provide education and information to assist individual landholders to understand the significance of the pests issue and to carry out private pest control.

B8.2.4 Principal Reasons

- Weed and animal pests have a number of adverse environmental effects including causing erosion, damaging native vegetation and habitats, lowering the productivity of land and spreading health problems for people and stock. The objective seeks to minimise these effects.
- **Policy 1:** The Crown, councils and landowners all have roles under the Biosecurity Act. Coordination is required for maximum effectiveness.
- **Policy 2:** Weeds and animal pests spread across boundaries so it is important to ensure approaches in neighbouring regions are compatible.
- **Policy 3:** Soil conservation measures would be incomplete and less effective unless they are integrated with pest control.

- **Policy 4:** With limited resources available for this and other issues it is important that priorities be set and best use is made of available funding.
- **Method 1:** The Biosecurity Act provides a clear framework for pest management that is expected to be adopted throughout New Zealand. It would be inconsistent and confusing to adopt other methods for administration and implementation.
- **Method 2:** Escaped farm animals can breed and spread rapidly in the wild, becoming pests. This has already occurred with goats and has the potential to occur with new species which may be introduced.
- **Method 3:** The Council is in a good position to observe the effectiveness of other agencies, identify shortcomings in their programmes and advocate for improved resources.
- **Method 4:** Education and information are critical to enable people to understand the issue, and accept and take part in pest management strategies.

B8.3 Issue – Loss of highly productive and versatile soils through closer subdivision and settlement, particularly around the urban area of Gisborne and loss of highly productive and versatile soils through unsustainable management practices

Explanation of Issue

Highly productive and versatile soils play a major role in the economy of the region.

Poverty Bay has approximately 17,000 ha of land suitable for this purpose while Tolaga Bay has approximately 5000 ha. These soils are among the most fertile and productive in the country, but are a very finite resource, representing only 5% of the region. The soils referred to are the series described as Waipaoa, Matawhero, Waihirere, Makaraka and Makauri. The RMA requires the Council to safeguard the life supporting capacity of soils and to sustain their potential to meet reasonably foreseeable needs of future generations. In this region the main issues that have been identified are the loss of such soils through subdivision for housing and the potential for losses due to management practices that deplete soil fertility and structure.

These lands are also attractive for low-density residential ('lifestyle') and, to a lesser extent, commercial or industrial use. The adverse effects of such use include direct loss of the soil resource and also constraints on the operations of growers because of concerns by new residents about matters such as noise, dust and spraying. The Council's policy has been to divert such uses onto less versatile parts of the Poverty Bay flats close to Gisborne city and the townships.

B8.3.1 Objective

1. To protect soils which are highly fertile and versatile from the effects of subdivision and land use which are likely to result in their permanent or long-term loss.

B8.3.2 Policies

- 1. To recognise the importance of highly productive soils to the economic and social well-being of the community.
- 2. Enable low-density residential development to take place on sites where its effects would not conflict with objective.
- 3. Recognise the need for all activities on highly productive soils to avoid adverse environmental effects and unsustainable practices.

B8.3.3 Methods

- 1. Maintain district rules generally preserving highly versatile and productive lands for that use on the Poverty Bay flats.
- 2. Provide in the Tairāwhiti Plan for lifestyle rural development in areas located on less versatile soils and close to Gisborne city.

- 3. Adopt air quality provisions in the Tairāwhiti Plan to control adverse effects such as dust and spray drift.
- 4. Consider the adoption of measures to protect soil fertility and structure if evidence develops that these are being adversely affected by cropping practices.

B8.3.4 Principal Reasons

The economic use of the limited stocks of these soils is important to the economic and social well-being of the Gisborne district. If lifestyle subdivision continued to occur at past rates over the medium to long term on the versatile soils then there would be a significant loss of economic potential in the region. District provisions in the Tairāwhiti Plan the appropriate place to control the effects of rural land use and subdivision. Controls are only considered necessary on the Poverty Bay flats as there is little evidence of encroachment of lifestyle blocks or impacts on production in other areas such as Tolaga Bay or Waiapu.

- **Policy 2 and Method 2:** Lifestyle subdivision is a legitimate land use which should be provided for. The Council has previously identified suitable locations immediately to the north and west of the Gisborne urban area, in a sector from Makaraka to Hexton on the flats and in the hill country from Hexton to Makorori. These are soils of lesser versatility that are conveniently located to minimise commuting.
- Policy 3 and Methods 3-4: There is some potential for productive land uses to create adverse effects, such as noise, dust, spray drift, loss of soil structure and nutrients, soil compaction, long term contamination and depletion of soil life and soil structure from spray residue and these should be avoided. Air quality is a regional responsibility and Council as a unitary authority intends to achieve a close integration through the Tairāwhiti Plan.
- The Council is not aware of significant or permanent adverse effects on the soil resource itself from cropping activities. The soils concerned are generally very deep, very fertile and versatile.
- **Policy 3 and Method 4:** Loss of structure such as compaction can sometimes be restored simply but may, in some cases, require the cessation of arable uses.

B9 NATURAL RESOURCES

The provisions of B9 are regional policy statement provisions.



Regional Policy Statement

Part B9 is operative.

B9.1 Issue – Natural values, outstanding natural features, significant indigenous vegetation, significant habitat of indigenous fauna, natural character of the coastal environment, lakes, rivers, wetlands and their margins, have been or may be degraded by inappropriate subdivision use and development

Explanation of Issue

There exist in the district numerous areas that are either in a substantially unmodified natural state, or in a modified state which still possess considerable natural character and conservation value.

These include areas of the coastline, rivers, wetlands and their margins, remnants of native forest, areas of regenerating native forest and, in places, substantial areas of native forest in the Raukumara Ranges. The protection of remaining areas is clearly a requirement of sustainable management where their value is significant. However such areas are threatened from time to time by development for productive or economic use such as farming, forestry or housing.

The most significant conflict in this region is likely to be over land with a cover of reverting native vegetation. Once cleared for pastoral farming, and now reverting in kanuka, manuka and other species, such land is often seen as suitable for conversion to forestry. It is often close to established roads and settlements, and has a former history of economic use. Contours and soil fertility are suitable for forestry. Much of this land is in the north of the district which is in a particularly severe state of economic depression.

Much of the land is owned by tangata whenua whose representatives have already stated their own intention to avoid the clearance of established indigenous forest, although not kanuka or manuka. These reverting lands are seen by them as a valuable opportunity for economic development, in some cases virtually the only opportunity.

On the other hand, such vegetation is also valuable for its landscapes, habitat, soil conservation and intrinsic values.

The major areas of substantially unmodified native vegetation, e.g. in the Raukumara Ranges, are less likely to be attractive for exotic forest conversion because of their remoteness, steepness and erodibility.

The region has no major lakes. Numerous small lakes and tarns exist such as the Tiniroto Lakes, which have value as wildlife habitats and for their scenery.

Rivers with significant conservation or scenic value in the region include the Waipaoa, Waiapu, Mata, Tupaeroa, Awatere, Uawa, Hikuwai, Mangatokerau, Wharekopae, Waikohu, Te Arai and their tributaries. The headwaters of the Motu, Hangaroa (Wairoa), Waioeka and Waikura rivers arise in the region before flowing out through neighbouring regions. High sediment loading from soil erosion limits the habitat, recreational and scenic values of some of these rivers.

In many cases it is smaller rivers, such as the Te Arai and Wharekopae which have the highest value, because of better water quality or the existence of small remnants of indigenous vegetation along the banks. Significant wetlands are scarce but numerous small examples exist.

Public access to these water bodies is provided by various reserves and formed or unformed legal roads. In many cases access is insufficient or rights of access unknown.

There are numerous dramatic landscapes in the region. Many of these, and most of the more accessible ones, are on the coast. Others are associated with the Raukumara Ranges and the major river systems.

The major threats to landscape arise from unsympathetic developments in the coastal environment, clearance of native vegetation and development works on skylines. Adverse effects on landscape are likely to be localised.

B9.1.1 Objectives

- 1. The preservation of the natural character of the coastal environment, lakes, rivers, wetlands and their margins, and the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.
- 2. The protection and rehabilitation, where appropriate, of areas of significant indigenous vegetation and significant habitats of indigenous fauna, including their genetic and biological diversity.
- 3. The sustainable management of natural and physical resources.

B9.1.2 Policies

- 1. Where there is a public conservation interest in private land, owners should not be denied reasonable use of their land without consultation.
- 2. Enable interested persons to have the opportunity to consider options for conservation of significant natural areas.
- 3. Recognise and provide for kaitiakitanga and rangatiratanga in dealing with conservation issues on Māori land. See methods B1.2.3 (1) to (6) to support this policy.
- 4. In order to recognise the national importance of maintaining or enhancing public access to and along the coastal marine area, lakes and rivers, management restricting access should only be imposed where such management is necessary:
 - to preserve the natural character of the coastal environment, wetlands, lakes, rivers and their margins, such as keeping access to boardwalks over sensitive dunes or restricting motorised recreation in sites more appropriately used for passive recreation; or
 - to protect areas of significant indigenous vegetation and habitats of indigenous fauna such as sensitive vegetation or breeding and roosting sites.
- 5. Promote increased knowledge and understanding of the extent and value of significant natural areas in the region and promote their protection by landowners.
- 6. Promote the protection or re-establishment of indigenous vegetation in riparian margins, and priority should be given to indigenous species.
- 7. Promote where appropriate, the sustainable management of indigenous forest land in accordance with the indigenous provisions of the Forests Act 1949, as inserted by the Forests Amendment Act 1993.
- 8. To protect areas of significant native vegetation and areas of significant habitats of indigenous fauna within the region, including the coastal marine area. Where significant areas are degraded, to rehabilitate them, where appropriate, as a matter of priority. Recognise that any other areas of indigenous vegetation should be disturbed only to the extent reasonably necessary to carry out permitted or approved activities.
- 9. To preserve the natural character of the coastal environment, wetlands and lakes and rivers and their margins in the region and protect them from inappropriate subdivision, use and development. To protect significant landscapes and outstanding natural features, such as those defined as being nationally, regionally or internationally significant, from inappropriate subdivision, use and development.
- 10. To promote sustainable management of indigenous vegetation, including regenerating indigenous forest, and habitats of indigenous fauna.

B9.1.3 Methods

- 1. Provide information in Tairāwhiti Plan to increase awareness of significant sites and areas along with any obligations pertaining to them.
- 2. Compile in consultation with DOC, land owners and other interested parties, a register of significant natural areas in the region. This register is for use in promoting awareness and landowner participation in preservation and developing plan provisions, including the proposed regional sustainable land plan. It will also enable the range of management options to be explored.

Significant natural terrestrial, freshwater and marine areas include the following:

- areas of significant indigenous vegetation & significant habitat of indigenous fauna.
- significant landscape and outstanding natural features.
- areas of significant natural character.

Criteria to aid determination of significant natural areas could include:

- a) Areas that have been especially set aside under statute (this includes covenants) for preservation or protection purposes.
- b) Areas recommended for protection under the Protected Natural Areas Programme or in reports to the Forest Heritage Fund and the Nga Whenua Rahui Committee.
- c) Landscapes that have been identified as regionally, nationally or internationally significant.
- d) Visually or scientifically significant geological features, including those identified in the New Zealand Geo-preservation Inventory compiled by the Joint Earth Sciences Working Group
- e) Areas where the adverse effects of any activity should be avoided or remedied because they are areas and habitats important to the continued survival of any indigenous species.
- f) Areas containing nationally or regionally vulnerable species or nationally or regionally outstanding examples of indigenous community types.
- g) Outstanding or rare indigenous community types within an ecological region or district.
- h) Habitat that is important for regionally rare or threatened species and ecological corridors connecting such areas.
- i) Areas important to migratory species and to vulnerable stages of common indigenous species.
- 3. Develop policies and methods in the Tairāwhiti Plan that require resource consents to be obtained before significant natural areas, landscapes and indigenous ecosystems in the register outlined in Method 2 can be modified.
- 4. Develop rules requiring retention of vegetation in riparian margins from inappropriate subdivision, use and development. Where retention is not practical, rules should encourage re-establishment with priority given to indigenous species.
- 5. Provide incentives for the protection of areas of undeveloped or unused land containing significant indigenous vegetation or habitats.
- 6. Consider acquisition of land to improve access to natural areas or protect natural values, where appropriate, and feasible. Advocate to landowners with natural areas of value that they use formal protection methods such as reserves and covenants under the Conservation Act and the Queen Elizabeth II National Trust Act.
- 7. Encourage and, where possible, assist with survey and research projects with other agencies.
- 8. Develop policies and methods in the Tairāwhiti Plan which promote sustainable management in relation to the clearance and modification of areas of indigenous vegetation.

B9.1.4 Principal Reasons

- **Objectives:** The objectives meet basic requirements of the RMA.
- **Policies:** The policies recognise that the public interest in the conservation of natural areas must be balanced against the rights of individual landowners to make reasonable use of property. Where these interests conflict then opportunity should be provided for options to be considered. The policies also recognise the Treaty rights of Māori owners.
- Methods: The methods are chosen to achieve a balance between conservation of natural areas, provision of access, protection of landscapes, and the rights of landowners to reasonable use of their land. They provide a means for identifying significant areas and the opportunity to explore options for their conservation prior to consent being given for their modification. Riparian margins are specified because these margins, although small, have many values and can often be preserved or allowed to regenerate without impacting on reasonable use.

B9.2 Issue – Public access to and along the margins of rivers, lakes and the coastal marine area is required to be maintained and, where practical, enhanced but this can conflict with ecological values, cultural values, natural character and private property rights

Explanation of Issue

The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is considered a matter of national importance to be recognised and provided for under section 6(d) of the Act. Public access includes tracks or road access and its recognition and provision may involve the provision of facilities and structures such as tracks and launching ramps.

The NZCPS amplifies this requirement of the Act in respect of the coastal marine area by including a policy specifically referring to the public access to and along the coast.

While public access is a matter of national importance, there can be a conflict of interest where access needs to be discouraged because areas have sensitive cultural values, natural character, ecological values or safety concerns such as seasonal fire risks.

B9.2.1 Objective

1. Maintenance or enhancement of public access to and along rivers, lakes and the coastal marine area.

B9.2.2 Policies

- 1. In order to recognise the national importance of maintaining and enhancing public access to and along the coastal marine area, lakes and rivers, management restricting access should only be imposed where such management is necessary:
 - a) To preserve the natural character of the coastal environment, wetlands, lakes, rivers and their margins, such as keeping access to boardwalks over sensitive dunes or restricting motorised recreation in sites more appropriately used for passive recreation.
 - b) To protect areas of significant indigenous vegetation and habitats of indigenous fauna such as sensitive vegetation or breeding and roosting sites.
 - c) To protect Māori cultural values such as urupa.
 - d) To protect public health and safety such as diversion away from areas of danger like land subsidence, river control construction sites, port operational areas and areas used for defence purposes.
 - e) To ensure a level of security consistent with the purpose of a resource consent.
 - f) In other exceptional circumstances sufficient to justify the restriction notwithstanding the national importance of maintaining that access.
- 2. To ensure, when planning for and making decisions on new subdivision, use, and development, that:
 - a) There is no reduction in the quality of existing legal access to and along water bodies, unless that reduction is consistent with Policy 1, above
 - b) Opportunities for access to and along water bodies, or parts of water bodies, not restricted by Policy 1 above, which are considered by Council to be of benefit to the local community for their conservation, recreational, cultural, scenic, spiritual or other amenity values are recognised and provided for.

Criteria that could be considered by Council to achieve this include:

 access to and along water body margins will be a priority for all the coast and rivers that connect the coast to Crown or Council reserves, or rivers that connect residential development to the coast, or main roads following the coast to the coast.

For waterbodies outside those provided by Policy 2(b), Council will, in general, give priority to public access provisions to the more substantial streams and rivers, such as those whose bed width averages three metres or more at that point.

B9.2.3 Methods

- 1. Develop schedules in the Tairāwhiti Plan of areas where maintained or improved public access to and along rivers, lakes and the coastal marine area is needed. The schedules will be compiled in consultation with landowners and users, having regard to current land use and operations.
- 2. Include in the Tairāwhiti Plan, policies and methods that ensure that, where appropriate, esplanade reserves and strips will be used to protect and enhance riparian and aquatic habitat values, water quality and public access.
- 3. Examine the issue of maintaining or improving public access to the coastal marine area in more detail in the Tairāwhiti Plan.
- 4. Attach conditions to resource consents, aimed at maintaining or enhancing public access to and along rivers, lakes and the coastal marine area.
- 5. Where riparian management is adopted as a method, encourage its dual use for public access.
- 6. Designate and acquire reserves, as appropriate.
- 7. Council may consult with landowners and advocate to them, where possible, for the inclusion of public access provisions to covenanted land under such acts as the Conservation Act, the NZ Walkways Act and the QE II National Trust Act.
- 8. Include provisions in the Tairāwhiti Plan, identifying those areas and circumstances where public access may need to be restricted.

B9.2.4 Principal Reasons

- **Objective 1:** The objective reflects a statutory responsibility.
- **Policies 1-2:** The maintenance and enhancement of public access to and along lakes and rivers will provide for use and enjoyment of the amenity, scenic and recreational values of rivers and lakes and for the cultural and spiritual values and customary uses of tangata whenua. It will also assist in public monitoring of water use and water quality. Under some circumstances, restrictions on public access to and along rivers and lakes may be necessary. These circumstances are listed in the policy and can be provided for within each of the methods indicated.
- Method 2: Public access to freshwater access strips.
- **Method 3:** The preparation of the coastal provisions in the Tairāwhiti Plan is the appropriate vehicle to develop more detailed policy for public access, having regard to uses of coastal water. District provisions in the Tairāwhiti Plan will implement any such policy.

