AGENDA/KAUPAPA

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

P O Box 747, Gisborne, Ph 06 867 2049 Fax 06 867 8076
Email service@gdc.govt.nz Web www.gdc.govt.nz

MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Colin Alder, Larry Foster, Rawinia Parata, Aubrey Ria and Josh Wharehinga

TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee

DATE: Thursday 13 June 2024

TIME: 9:00AM

AT: Te Ruma Kaunihera (Council Meeting Room), Awarua, Fitzherbert Street, Gisborne

AGENDA – OPEN SECTION

Tairāwhiti Resource Management Plan

Reports to:	Council
Chairperson:	Mayor Rehette Stoltz (or nominee)
Membership:	Mayor Rehette Stoltz (or nominee), Deputy Mayor Josh Wharehinga, Cr Colin Alder, Cr Larry Foster, Cr Rawinia Parata, Cr Aubrey Ria, two independent commissioners and up to six iwi appointees
Quorum:	Half of the members when the number is even and a majority when the membership is uneven
Meeting frequency:	Quarterly or as required in order to achieve the TRMP review work programme.

Purpose

- A committee to support the Tairāwhiti Resource Management Plan (TRMP) review process.
- To promote the sustainable management of Tairāwhiti's natural and physical resources by overseeing the review and development of plans, changes and variations as required under the Resource Management Act 1991(RMA).
- To apply a Te Tiriti articles-based approach to governance direction when undertaking the future planning and decision making on how Tairāwhiti's, natural and physical resources are managed within the Tairāwhiti under the RMA.

Terms of Reference

- Provide governance oversight and guidance on policy directions presented by staff ahead of whole of Council recommendations.
- Approve for recommendation to Council:
  - draft catchment plans and regional freshwater planning provisions for notification prepared under the RMA and the National Policy Statement for Freshwater Management 2020 (NPS-FWM)
  - draft Regional Policy Statement provisions for notification
  - draft urban growth and development provisions for notification to achieve the purpose of the RMA and to give effect to the National Policy Statement for Urban Development
  - draft and proposed regional and district plan provisions and changes
  - plan evaluation reports supporting proposed changes to the TRMP

- hearing committees or hearings panels, composed of accredited persons, to hear and decide upon submissions on proposed regional plans, proposed variations and proposed plan changes (such hearing committees or panels may include members of the committee and/or other persons chosen for their particular skills, attributes or knowledge that will assist the hearing committee or panel). This includes the ability to approve draft versions for consultation and make recommendations to Council following consultation.

- Ensure that legislative obligations for plan making, including pre-consultation engagement and giving effect to national directions relating to the TRMP review are considered and complied with.
- Make recommendations to Council to approve or change a proposed policy statement or plan under Schedule 1 of the Resource Management Act 1991 (RMA).

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish working parties as required.
- To appoint non-voting members (such as tangata whenua representatives) to assist the Committee.

Delegations

- The Council delegates all the functions and powers of the Council that are capable of delegation under the Resource Management Act 1991 to the Tairāwhiti Resource Management Plan Review Committee which are necessary for it to carry out the specific responsibilities listed above relating to the review and development of regional plans, changes, and variations.

Power to Recommend

- To Council and/or any Council committee as it deems appropriate through a report on an agenda to the appropriate meeting of Council or committee.

Review of Terms of Reference

- A review of the Committee's Terms of Reference will be undertaken:
  - When an iwi appointee joins the committee
  - When the Proposed Tairāwhiti Resource Management Plan becomes operative
  - At any time at the Council's discretion

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-166

Title:	**24-166 Regional Policy Statement Provisions - Overarching Policy Framework**
Section:	Sustainable Futures
Prepared by:	Yvonne Legarth - Contractor: Strategic Planning
Meeting Date:	Thursday 13 June 2024

Legal: Yes	Financial: No	Significance: **Medium**

Report to TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to have an agreement in principle on an approach to the overarching policy framework for the Regional Policy Statement (RPS) provisions in the Tairāwhiti Resource Management Plan (TRMP).

SUMMARY – HE WHAKARĀPOPOTOTANGA

The TRMP review includes the Regional Policy Statement (RPS) provisions. The purpose of an RPS is *"to provide an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region".*

This report discusses six potential overarching policy frameworks that might be applied to the provisions contained in the draft Integrated Management and Strategic Direction chapters. The key difference between the different options is whether to prioritise the environment (or freshwater) first, or to manage natural and physical resources in a way that recognises the interrelated nature of the environment; or to establish strategic outcomes that place social, economic, cultural, and environmental outcomes on the same level, allowing for trade-offs to be made within the sustainable management parameters in RMA s5.

The preferred option is to combine Te Taiao (which prioritises the needs of the environment) and 'Ki uta ki tai' (which recognises the interconnectedness from 'mountains to sea') as the overarching policy approach for the draft RPS provisions. This decision will guide the alignment of drafting before seeking initial feedback from iwi and others.

The overarching policy framework will then be used to refine two chapters - the draft Integrated Management and draft Strategic Direction chapters - in the draft RPS provisions.

As RPS provisions, the Strategic Direction and Integrated Management chapters will establish an overarching policy direction to be considered when writing other parts of the TRMP to meet the purpose of the Resource Management Act 1991. Working drafts of these two chapters are included as **Attachments 3 and 4**. They contain the draft objectives, policies and methods to achieve the sustainable management outcomes and integrated management of the natural and physical resources of the whole region. These will be revised to apply the overarching policy framework prior to seeking initial feedback from iwi authorities.

These two chapters will have an influence on the drafting of provisions throughout the TRMP, including the regional and District Plan provisions that must give effect to the RPS provisions.

The decisions or matters in this report are considered to be of **Medium** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. **Adopts option 4 that incorporates both Te Taiao (prioritises the needs of the environment) and 'Ki uta ki tai' (recognises the interconnections from mountains to sea)' as the overarching policy framework for the draft Regional Policy Statement provisions.**

Authorised by:

Nicki Davies - Acting Director Sustainable Futures

Keywords: Tairawhiti Resource Management Plan, Resource Management Act, RMA, TRMP review, Regional Policy Statement, RPS

BACKGROUND - HE WHAKAMĀRAMA

1. The Resource Management Act 1991(RMA) s59 to s62 identifies the purpose, contents, and matters to be considered when preparing or changing Regional Policy Statement provisions. The format of the TRMP follows Table 5 in the National Planning Standards, with the addition of a Strategic Direction chapter.

2. The 'Significant Resource Management Issues for the Region', Issues of Significance to Iwi authorities, Integrated Management and Strategic Direction chapters provide the context and direction for the sustainable management of the region's resources. A previous report to Council in 2021 identified 'Significant Resource Management Issues for the Region.' This is included as **Attachment 1**.

3. Following the identification of the Significant resource management issues for the Region, council was presented with summaries of the preliminary issues and options reports at a council workshop in August 2022. These recognised gaps in information and the need for technical work to be undertaken. The RPS team has been obtaining this technical work.

4. Drafting of RPS provisions has started based on existing information and being refined as new information comes to hand.

5. This report discusses a possible overarching policy framework for the TRMP review, and the draft Integrated Management and draft Strategic Direction chapters. A decision is sought to adopt the policy framework to aid discussions with iwi on the RPS provisions, and to assist with a consistent policy approach throughout the TRMP. The overarching policy approach in these two chapters will filter down to the other chapters within the TRMP and will also help focus discussions on some of the more complex sections of the TRMP, including those that are not RPS provisions.

6. Once the views of iwi are known, a revised draft RPS will be brought back to the Committee prior to notifying the draft RPS provisions to seek further feedback from iwi and the public.

Regional Policy Statement Provisions - Workstream Overview

7. The TRMP review includes the RPS provisions and is to be undertaken under the requirements of the RMA. The purpose of the RPS provisions is "to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region."

8. The RPS provides the high-level direction for resource management of the environment within the region, and sets the policy direction, or intent, for the Regional Plan and District Plan provisions. The review of the RPS provisions will influence the other parts of the TRMP, because the Regional and District Plan provisions must give effect to the RPS.

9. Council must prepare and change its Regional Policy Statement provisions in accordance with its regional functions under RMA s30; and the RMA principles and matters in RMA Part 2; and in accordance with the purpose, contents and matters that are set out in RMA s59 to s62[1].

[1] RMA s59 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233386.html
RMA s60 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233388.html
RMA s61 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233389.html
RMA s62 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233397.html

10. The requirements for an RPS are prescribed in the RMA, and include:
    - Significant resource management issues for the region.
    - Resource management issues of significance to iwi authorities.
    - Objectives, policies and methods (not rules, but can direct rules to be placed in plans) to respond to the issues.
    - Outline of integrated management approach, including cross boundary issues.
    - In addition to the above required contents, it is recommended that a Strategic Direction chapter be added that describes an overarching policy approach.

Significant Resource Management Issues for the Region

11. Using feedback from previous engagements, including the Spatial Plan and Long-Term Plans, four high level challenges were drafted in 2021. These were presented to Councillors, Iwi Chairs as possible 'Issues of Significance to the Region'.
12. The revised version of the draft 'Issues of Significance to the Region', prepared in order to seek public feedback through the draft RPS provisions, is included as **Attachment 2**.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Overarching Concepts for Strategic Direction and Integrated Management

13. The overarching objectives and policies are contained in the Strategic Direction and Integrated Management Chapter. The provisions are intended to assist with the integrated management of resources across the different RPS, Regional and District Plan layers in the TRMP. These set the strategic context for the TRMP and the overarching direction for other chapters.
14. Identifying the key strategic direction will help when discussing topics that are not limited to RPS provisions and matters that reach across into the different parts of the TRMP and should assist with promoting a consistent policy approach. These topics will be the focus of the next Committee meeting and will be considered against the draft strategic direction and integrated management chapters.

Integrated Management Chapter

15. The draft Integrated Management chapter draws together the provisions that manage the multiple aspects of natural and physical resources into an integrated system to assist decision-making on plans provisions and resource consents. Other TRMP provisions must give effect to the RPS, and the multiple objectives and policies under other domains and topics must be in line with the approach set out in the integrated management chapter.
16. The working draft of the Integrated Management chapter is included as **Attachment 3**.

Strategic Direction Chapter

17. The draft 'Strategic Direction' chapter provides the overarching direction for the TRMP. The strategic direction is intended to describe the direction that the management of natural and physical resources is headed in to achieve the sustainable management outcomes for the region.

18. The Strategic Direction chapter has primacy, and the other chapters are to be consistent with the strategic direction to ensure that the challenges are addressed consistently. The objectives and policies dealing with individual topics must be in line with the approach set out in the Strategic Direction chapter, such as those for quality environmental outcomes and biodiversity improvements.

19. The working draft of the Strategic Direction chapter is included as **Attachment 4**.

Options for an Overarching Policy Framework

20. To help focus the direction within the strategic direction and integrated management chapter an overarching framework is to be considered. This will provide the golden thread that is worked through the TRMP. The TRMP provisions will work to meet this outcome.

21. The overarching policy framework for the TRMP could apply one of the following overarching concepts. The key difference between the options is to establish a framework that puts the environment (or freshwater) first, recognising the interrelated nature of the environment; or to establish strategic outcomes that place social, economic, cultural, and environmental outcomes on the same level, allowing tradeoffs to be made within the sustainable management parameters in RMA s5.

Option 1 Ki uta ki tai (mountains to sea): Take a holistic approach that manages effects on the environment as an integrated system

22. Ki uta ki tai is an overarching concept that recognises the interconnectedness of the whole environment – that land, freshwater, ecosystems and the coastal environment have a relationship with each other that cannot be separated. Decisions made under the TRMP would be guided by the concept of ki uta ki tai, ensuring that the use, development, and protection of natural and physical resources are managed so they do not create adverse effects for the receiving environment.

Benefits	**Cons**
• Tested through the courts. • Concept adopted within some RMA plans already • Considers environment as a whole • Considers the impact of a decision on one part of the environment might have on another part of the environment • Consistent with NPSFM • Will contribute to meeting regional and district functions under the RMA • Will support Council to achieve the purpose of the RMA • Lack of information can be managed with a precautionary approach	• Priorities and trade-offs not identified
Comment: This approach can contribute to the TRMP meeting the purpose of the RMA and will deliver on Reginal and District functions. This approach should consider how proposed provisions may affect other parts of the environment and how provisions fit next to other provisions. Should reduce unintended consequences.	

Option 2 Te taiao: Take an approach that puts the needs of the environment first, followed by the needs of the community, followed by economic development

23. A te Taiao approach puts the needs of the environment first. The values associated with the environment are retained, and biodiversity values in the region are increased. The use and development of natural and physical resources provides for the protection of the health of the environment, and safeguards the health of air, soil, water and ecosystems first; then those resources may be used in a way that promotes the well-being of both present and future generations.

Benefits	**Cons**
• Priority is specified. • Places the environment at the heart of decisions. • Will contribute to meeting regional and district functions under the RMA.	• Cultural, social and economic well beings come second as opposed to being on the same level as environment. • Needs to be defined in regional context.
Comment: Draws from the approach in Te Mana o Te Wai and applies that to the environment by putting the needs of the environment first, recognising that the well-being of the community relies on the well-being of the environment. While cultural, social and economic wellbeing come second, it is considered that they will still improve through improving environmental outcomes.	

Option 3: Te Mana o te Wai

24. Te Mana o te Wai is a concept that recognises the fundamental importance of freshwater, acknowledging that protecting the health of freshwater protects the health and well-being of the wider environment. The mauri of the wai is to be protected. The 'local expression' of Te Mana o Te Wai is still being developed through the freshwater workstream.

Benefits	**Cons**
• Considers Ki uta ki tai under NPSFM. • The health of freshwater is at the heart of decision-making. • Will meet regional functions under the RMA.	• Would likely create a policy gap for addressing resource management issues. • Narrow scope. • May not assist with the full range of decisions on land use or use and development of coastal resources. • May not assist with district council functions under the RMA.
Comment: Placing an emphasis on the health and well-being of water risks a 'policy gap' when use and development may have adverse effects, but not effects on water. An example of this is a discharge of a contaminant to land, where that discharge is unlikely to enter water. Te mana o te wai is an important concept that works well alongside other sustainable management outcomes dealing with the use, development, and protection of other land-based and coastal resources.	

Option 4: Apply both Te Taiao and Ki uta Ki Tai – preferred

25. Apply both Te Taiao and Ki uta Ki Tai - this combines two of the concepts (Options 1 and 2 above). Options 1 and 2 both place an emphasis on meeting the needs of the environment (including water) as a priority. The combination of the two concepts places a priority on environmental outcomes and expressly recognises the relationships and connections between natural environmental systems.

Benefits	**Cons**
• Works in tandem to address cons of both options. • Outcomes are clear • As described in Options 1 and 2. • Can be applied within and across environmental domains. • Can be applied to both regional and district functions. • Will meet the purpose of the RMA.	• Untested
Comment: This is the preferred option. It places the environment and the interconnectedness of the environment first. It supports the concept of healthy environment, and a healthy environment supporting the health and well-being of the community, and the flow on for cultural, social, and economic benefits.	

Option 5: Sustainable use and development

26. Sustainable use and development - develop an overarching framework that places the environment, social, economic, and cultural outcomes on the same level, paying equal attention to each when making decisions on plans and resource consents.

Benefits	**Cons**
• Recognises that what happens on the land can affect receiving environments. • Supports district functions under the RMA. • Sustainable management has been in place for some time. • Has case law.	• Likely to create a policy gap • Potential for inconsistent decisions • Uncertain Outcomes No guidance or assistance for decision makers about trade-offs or priorities
Comment: In practice this approach means the plan writers and consent staff will use their best professional judgement to make decisions where values need to be protected, and where trade-offs need to be made between the different outcomes. In the absence of clear priorities there is potential for inconsistent decisions to be made and some outcomes may not be achieved. This not the preferred option. Ideally, where an overarching framework that enables a balancing of values would also establish a set of principles and establish parameters or limits to provide certainty about outcomes.	

Option 6: Use the Future Development Strategy objective

27. The Future Development Strategy (FDS) objective was developed to address housing and business needs and urban growth. In Gisborne City and its suburbs. The Objective is "Growth and Development must strive towards achieving a harmonious co-existence of vibrant communities and a thriving environment". There are also sub-clauses on Te Taiao, He Tangata and Development.

Benefits	**Cons**
• Objective is accepted through the FDS process. • Will support district functions under the RMA.	• Limited in scope. • There will be policy gaps. • Unlikely to meet regional functions under the RMA. • Developed for a different purpose.
Comment: While the objective in the FDS is entirely appropriate for a strategy, Option 6 is not recommended as the overarching objective for the TRMP. This is because the scope is focused on the built environment and is too narrow and uncertain to manage the range of issues addressed by decision makers under the TRMP. However, the general approach that suggests a direction towards balancing growth and development with environmental needs could be redrafted into an outcome that is suitable for the TRMP; that manages both the built environment and discharges, damming, the taking, diversion and use, development, and protection of resources such as air, water, beds of rivers, the coast, marine environment and biodiversity within a sustainable framework.	

ASSESSMENT of SIGNIFICANCE - AROTA KENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation
Overall Process: **Medium** Significance
This Report: **Medium** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan
Overall Process: **Low** Significance
This Report: **Low** Significance

Inconsistency with Council's current strategy and policy
Overall Process: **Low** Significance
This Report: **Low** Significance

The effects on all or a large part of the Gisborne district
Overall Process: **High** Significance
This Report: **Medium** Significance

The level or history of public interest in the matter or issue
Overall Process: **Medium** Significance
This Report: **Medium** Significance

28. The decisions or matters in this report are considered to be of **Medium** significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

29. For this report no iwi engagement was undertaken. However, iwi engagement is required throughout the TRMP review process to ensure their views are incorporated directly into the drafting. The extent of iwi engagement will be determined by iwi in terms of what they want to be involved in.

30. Consideration to how we have applied Council's Te Tiriti Compass to the RPS framework discussion is outlined below.

Kāwanatanga: We share decision-making for our region with tāngata whenua

31. In addition to the possibility of iwi involvement at the governance table, the intention is to seek the views of iwi when making decisions on the TRMP. The key chapters in the RPS for decision making that will have an influence throughout the rest of the TRMP are the strategic direction and integrated management chapters. If iwi authorities and Māori have limited time and capacity, these are identified the key chapters for them to consider if they wish. Discussion on the preferred framework will need to be had with iwi/tangata whenua. By understanding the framework, and with the Council's agreement in principle, we can better articulate how decisions under the TRMP will be made.

Tino Rangatiratanga: Mana whenua aspirations are Council priorities

32. To date the key advice received on co drafting the direction in the RPS has been through the iwi technicians. They had asked for drafts to be written for them to respond to. Discussions had indicated that they were keen to have the environment at the centre of our decisions. The preferred framework in this report seeks to promote this alongside Ki uta ki tai to acknowledge the environment is the priority and that everything is interconnected. This is yet to be tested with the iwi authorities themselves. The intention is to discuss further with iwi authorities once the TRMP are happy with an approach, along the strategic direction and integrated management chapters.

Ōritetanga: Council understands, acknowledges, and redresses inequity

33. The bare minimum required under the RMA is to consult with iwi authorities when preparing the draft plan provisions. Council has already determined that this is not sufficient to meet the needs of our treaty partners. Budget is available to support working with iwi to the extent that they wish to be involved.

Whakapono: We empower and value Te Ao Māori

34. The framework, strategic direction and integrated management should reflect the world view of mana whenua on how the environment will be managed through the TRMP. While an overarching policy framework is not required, if the approach is captured well in these chapters, that will promote a consistent approach for the drafting of the rest of the TRMP.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

35. No community engagement has been undertaken in relation to this report. Community engagement will be undertaken as part of the plan making process.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

36. There are no climate change implications arising from this report.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

37. There are no financial implications arising from this report.

Legal

38. There are no legal implications arising from this report.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

39. The policy or planning implications arising from this report will be reflected in the drafting of the reviewed TRMP provisions.

RISKS - NGĀ TŪRARU

40. There are no major strategic risks associated with the decisions or matters in this report.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
Date TBC	Review of the working drafts of the strategic direction and integrated management chapter to align with the overall framework.	Post receiving direction from the Committee on the framework, the aim is to have a report at the next Committee meeting. They will be brought back to the committee alongside other RPS policy questions.

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - Regionally Significant Issues [**24-166.1** - 4 pages]
2. Attachment 2 - Draft Revised Significant Resource Management Issues [**24-166.2** - 6 pages]
3. Attachment 3 - Draft Integrated Management [**24-166.3** - 14 pages]
4. Attachment 4 - Working draft Strategic Direction [**24-166.4** - 5 pages]

Revised Issue Statements for the Regional Policy Statement

Significant resource management issues for the region

SRMR–I1 – Resilient communities

Climate change is one of the greatest challenges facing our communities now and into the foreseeable future. The effects of climate change have the potential to adversely affect our environment and our communities' ability to prosper.

Tairāwhiti is also susceptible to many natural hazards which can damage our natural and built environment and our well-being. Climate change is predicted to exacerbate natural hazard risks.

We must plan for, and respond to, the effects of climate change and natural hazards in a way that:

- reduces risks and impacts for present and future generations, including through appropriate adaptation and mitigation actions
- reduces greenhouse gas emissions and waste
- improves community resilience and the security of water supply
- promotes economic development and diversity and the role of nature-based solutions
- adopts a precautionary approach
- is in partnership with mana whenua
- recognises and uses mātauranga Māori alongside western science.

Context:

Tairāwhiti is exposed to multiple natural hazards, from earthquakes and tsunamis to landslides and flooding, which often cause damage to or loss of finite resources like heritage features and infrastructure. Climate change will intensify the impacts of many natural hazards and will have far-reaching economic, environmental and social implications throughout the region.

The cost of making our communities and infrastructure more resilient to natural hazards and climate change is one of the most significant challenges we will face. We need to better understand the level of risk our communities will accept and what we can do to reduce our vulnerability. We also need more science and understanding of mātauranga Māori to grow our knowledge base and make good decisions.

***Note**: More detail will be added following further research into this issue statement.*

Table with links to relevant objectives:

Issue SRMR-I1 is addressed by the following objectives OBJ –01 TBC, OBJ-06 TBC, OBJ-10 TBC….

SRMR-I2 – Te Oranga o te Taiao

The way we have been managing our natural environment has contributed to ongoing degradation of mauri, life supporting capacity, intrinsic values, and ecosystem services throughout Tairāwhiti. These effects are evident through declining freshwater quality and availability, soil damage and erosion, the loss of indigenous biodiversity, ecosystems and habitats, and impacts on our coastal environment. Tangata whenua have reiterated the importance of restoring and maintaining the values within the environment through kaitiakitanga - the responsibility tangata whenua have as guardians of the areas in which we

live. Implementing traditional kaitiakitanga within a contemporary setting is a major challenge for tangata whenua.

We must plan for, and manage, the use of our natural environment in a way that:

- embraces ki uta ki tai and recognises the relationships between, and interconnectedness of, all environmental domains
- recognises the intrinsic relationship between the health of the environment and the health of the people
- protects and restores the mana and mauri of our natural taonga, including indigenous ecosystems and biodiversity
- supports mana whenua in the exercise of kaitiaki responsibilities
- prioritises the health and well-being of waterbodies and freshwater ecosystems
- encourages sustainable land use practices and activities that contribute to ecological diversity, and improve the quality of air, freshwater, coastal waters, wetlands, estuaries, and soils.

Context:

Tairāwhiti's natural environment has been degraded over recent decades. We are experiencing biodiversity loss. Introduced pests have led to the slow decline of ecosystems. Less than 2% of our wetlands remain and we have 23% of our original native vegetation left. Over half of our region's native bird species and 17% of our native plant species are threatened.

The presence of nutrients, micro-organisms and sediment in streams and rivers degrades water quality and biodiversity and impacts the coastal environment into which they flow. Some of our groundwater aquifers are over-allocated and our freshwater supply cannot meet increasing demands.

Much of our lifestyle is centred on the coastal and marine environment. However, coastal hazards, habitat loss and competing values are significant issues for the coastal environment. The region's soils are a finite resource. Tairāwhiti also has a large proportion of land susceptible to erosion. We need to adopt an integrated approach to resource management to protect and restore te Taiao.

Note: *More detail will be added following further research into this issue statement.*

Table with links to relevant objectives:

Issue SRMR-I2 is addressed by the following objectives OBJ–02 TBC, OBJ–03 TBC, OBJ–11 TBC….

SRMR-I3 - Growth and development

Poorly managed growth and development can adversely affect our productive land, natural assets, infrastructure, and well-being.

Population growth in Tairāwhiti, particularly in the Gisborne urban area, increases demand for housing, employment, business, infrastructure, energy, and social services. Unplanned growth of industry in rural areas can lead to unsustainable land use, reducing soil and water quality, adversely impacting indigenous biodiversity and landscapes and reducing economic potential.

We must plan for, and provide, regional development in a way that:

- meets the needs of our different communities now and in the future

- enhances the quality of life for individuals
- recognises the identity of our rural areas and townships
- maintains and enhances connectivity
- maintains and enhances our natural features and landscapes, natural character, and historic heritage
- encourages a low emissions society
- reduces and better utilises waste streams.

Context:

Tairāwhiti has seen a significant change in population growth trends since 2017. The increase in growth that was reflected in the 2018 census is forecast to continue until at least 2031. Unless managed well, there is potential for urban growth and development to negatively impact highly productive land and rural amenity, treasured natural assets, infrastructure, and community well-being. The growth of industry in our rural areas must also be managed appropriately.

Our natural features and landscapes, natural character and historic heritage are some of our most important assets. They are a source of cultural and social identity, providing a unique 'sense of place' and a source of intrinsic public value. They can also provide tangible economic benefits and contribute to the attractiveness of this region as a place to live and visit.

To achieve good environmental, economic, social and cultural outcomes, the location and form of regional development is required to be well planned.

Note: *More detail will be added following further research into this issue statement.*

Table with links to relevant objectives:

Issue SRMR-I3 is addressed by the following objectives OBJ–01 TBC, OBJ–04 TBC, OBJ–09 TBC….

SRMR–I4 – Prosperous Tairawhiti

Tairāwhiti has not effectively managed its natural and physical resources to fully realise its economic potential and social well-being.

We must plan for, and provide, for the natural and built environment in a way that:

- provides for use and allocation of common natural resources (such as water or aggregates), efficiently and equitably, particularly where there is significant demand. used and allocated efficiently
- removes or reduces barriers (such as access and water availability) to unlocking the potential of whenua Māori
- does not compromise existing and future productive activities and use of land or regionally significant infrastructure
- provides for regionally significant infrastructure that is sufficient to support development and community needs
- improves the security of energy supply
- improves the security of water supply
- considers the extent to which regulation and compliance costs deter investment or incentivise sub-optimal investment.

Context:

A portion of our community are prosperous and have high living standards, but overall Tairāwhiti has the highest level of deprivation of any district in New Zealand. Primary production (based around agriculture, horticulture and forestry) is an important part of our regional economy. An economy that is predominantly reliant on one sector means it's less resilient to economic shocks. The availability and quality of water constrains our development. This is a particular issue for under-utilised whenua Māori. We need to continue to find ways of adding more value to our goods and services as a way of growing the economy.

Addressing deprivation is one of the most important factors influencing the wellbeing of our communities.

Note: *More detail will be added following further research into this issue statement.*

Table with links to relevant objectives:

Issue SRMR-I4 is addressed by the following objectives OBJ–01 TBC, OBJ–03 TBC, OBJ–08 TBC….

Significant resource management issues for the region

An RPS must state the regionally significant resource management issues for the region. The council identified four regionally significant resource management issues using a range of existing resources. Tairāwhiti 2050 was the subject of community consultation and provides a solid starting point for refining the key resource management issues. Additional issues have been identified from strategic direction outlined in the Long Term Plan (LTP) (and supporting documents), the current RPS and other existing plans, strategies, national policy direction and community consultations.

An issue is an existing or potential problem that must be addressed, or a particular resource or area that must be protected, managed or enhanced, to achieve the purpose of the RMA. Issues in an RPS are to be of regional significance, and:

- achieve the purpose of the Resource Management Act (RMA)
- be within the functions of the Council
- contribute to the identification of objectives, policies and methods that achieve integrated management of the natural and physical resources of the whole region
- should be based on evidence and facts and developed with input from the community.

SRMR–I1 – Resilient communities

Climate change is one of the greatest challenges facing our communities now and into the foreseeable future. The effects of climate change have the potential to adversely affect our environment and our communities' ability to prosper.

Tairāwhiti is also susceptible to many natural hazards which can damage our natural and built environment and our well-being. Climate change is predicted to exacerbate natural hazard risks.

We must plan for, and respond to, the effects of climate change and natural hazards in a way that:

- reduces risks and impacts for present and future generations, including through appropriate adaptation and mitigation actions
- reduces greenhouse gas emissions and waste
- improves community resilience and the security of water supply
- promotes economic development and diversity and the role of nature-based solutions
- adopts a precautionary approach
- is in partnership with mana whenua
- recognises the importance of, and uses mātauranga Māori through empowering tangata whenua in the application of mātauranga Māori alongside western science.

Context:

Tairāwhiti is exposed to multiple natural hazards, from earthquakes and tsunamis to landslides and flooding, which often cause damage to or loss of finite resources like heritage features and infrastructure. Climate change will intensify the impacts of many natural hazards and will have far-reaching economic, environmental and social implications throughout the region.

The cost of making our communities and infrastructure more resilient to natural hazards and climate change is one of the most significant challenges we will face. We need to better understand the level of risk our communities will accept and what we can do to reduce our vulnerability. We also need more science and understanding of mātauranga Māori to grow our knowledge base and make good decisions.

This issue is relevant to the following chapters:

TW Tangata Whenua

CE Coastal Environment

LF Land and Freshwater

EIT Energy, Infrastructure and Transport

NH Natural hazards

CL Contaminated Land

SASM Sites and areas of significance to Māori

UFD Urban Form and Development

SUB Subdivision

SRMR-I2 – Te Oranga o te Taiao

The way we have been managing our natural environment has contributed to ongoing degradation of mauri, life supporting capacity, intrinsic values, and ecosystem services throughout Tairāwhiti. These effects are evident through declining freshwater quality and availability, soil damage and erosion, the loss of indigenous biodiversity, ecosystems and habitats, and impacts on our coastal environment. Tangata whenua have reiterated the importance of restoring and maintaining the values within the environment through kaitiakitanga - the responsibility tangata whenua have as guardians of the areas in which we live. Implementing traditional kaitiakitanga within a contemporary setting is a major challenge for tangata whenua.

We must plan for, and manage, the use of our natural environment in a way that:

- embraces ki uta ki tai and recognises the relationships between, and interconnectedness of, all environmental domains
- recognises the intrinsic relationship between the health of the environment and the health of the people
- protects and restores the mana and mauri of our natural taonga, including indigenous ecosystems and biodiversity

- supports mana whenua in the exercise of kaitiaki responsibilities
- prioritises the health and well-being of waterbodies and freshwater ecosystems
- encourages sustainable land use practices and activities that contribute to ecological diversity, and improve the quality of air, freshwater, coastal waters, wetlands, estuaries, and soils.

Context:

Tairāwhiti's natural environment has been degraded over recent decades. We are experiencing biodiversity loss. Introduced pests have led to the slow decline of ecosystems. Less than 2% of our wetlands remain and we have 23% of our original native vegetation left. Over half of our region's native bird species and 17% of our native plant species are threatened.

The presence of nutrients, micro-organisms and sediment in streams and rivers degrades water quality and biodiversity and impacts the coastal environment into which they flow. Some of our groundwater aquifers are over-allocated and our freshwater supply cannot meet increasing demands.

Much of our lifestyle is centred on the coastal and marine environment. However, coastal hazards, habitat loss and competing values are significant issues for the coastal environment. The region's soils are a finite resource. Tairāwhiti also has a large proportion of land susceptible to erosion. We need to adopt an integrated approach to resource management to protect and restore te Taiao.

This issue is relevant to the following chapters:

TW Tangata Whenua

AIR Air

CE Coastal Environment

LF Land and Freshwater

EIT Energy, Infrastructure and Transport

CL Contaminated Land

SASM Sites and areas of significance to Māori

TREE Notable Trees

ECO Ecosystem and indigenous biodiversity

SRMR-I3 - Growth and development

Poorly managed growth and development can adversely affect our productive land, natural assets, infrastructure, and well-being.

Population growth in Tairāwhiti, particularly in the Gisborne urban area, increases demand for housing, employment, business, infrastructure, energy, and social services. Unplanned growth of industry in rural areas can lead to unsustainable land use, reducing soil and water quality,

adversely impacting indigenous biodiversity and landscapes and reducing economic potential.

We must plan for, and provide, regional development in a way that:

- recognises and provides for tangata whenua development of their whenua
- enable Māori-led developments on whenua Māori that will deliver the aspirations and needs of tangata whenua
- meets the needs of our different communities now and in the future
- enhances the quality of life for individuals
- recognises the identity of our rural areas and townships
- maintains and enhances connectivity
- maintains and enhances our natural features and landscapes, natural character, and historic heritage
- encourages a low emissions society
- reduces and better utilises waste streams.

Context:

Tairāwhiti has seen a significant change in population growth trends since 2017. The increase in growth that was reflected in the 2018 census is forecast to continue until at least 2031. Unless managed well, there is potential for urban growth and development to negatively impact highly productive land and rural amenity, treasured natural assets, infrastructure, and community well-being. The growth of industry in our rural areas must also be managed appropriately.

Our natural features and landscapes, natural character and historic heritage are some of our most important assets. They are a source of cultural and social identity, providing a unique 'sense of place' and a source of intrinsic public value. They can also provide tangible economic benefits and contribute to the attractiveness of this region as a place to live and visit.

To achieve good environmental, economic, social and cultural outcomes, the location and form of regional development is required to be well planned.

This issue is relevant to the following chapters:

TW Tangata whenua

UFD Urban Form and Development

SUB Subdivision

EIT Energy, Infrastructure and Transport

HH Historic heritage

NC Natural character

NFL Natural features and landscapes

CL Contaminated land

PA Public access

SRMR–I4 – Prosperous Tairawhiti

Tairāwhiti has not effectively managed its natural and physical resources to fully realise its economic potential and social well-being.

We must plan for, and provide, for the natural and built environment in a way that:

- provides for use and allocation of common natural resources (such as water or aggregates), efficiently and equitably, particularly where there is significant demand. use and allocated efficiently
- removes or reduces barriers (such as access and water availability) to unlock the potential of whenua Māori
- does not compromise existing and future productive activities and use of land or regionally significant infrastructure
- provides for regionally significant infrastructure that is sufficient to support development and community needs
- improves the security of energy supply
- improves the security of water supply
- considers the extent to which regulation and compliance costs deter investment or incentivise sub-optimal investment.

Context:

Addressing deprivation is one of the most important factors influencing the wellbeing of our communities. Overall Tairāwhiti has the highest level of deprivation of any district in New Zealand. Primary production (based around agriculture, horticulture and forestry) is an important part of our regional economy. An economy that is predominantly reliant on one sector means it's less resilient to economic shocks. The availability and quality of water constrains our development. This is a particular issue for under-utilised whenua Māori. We need to enable Māori-led developments and economic opportunities on whenua Māori that prioritises the aspirations and needs of tangata whenua. We need to continue to find ways of adding more value to our goods and services as a way of growing the regional economy. We need to continue to find ways of unlocking economic opportunities for Māori, and adding more value to our goods and services as a way of growing the economy.

This issue is relevant to the following chapters:

TW Tangata whenua

CE Coastal environment

LF Land and Freshwater

EIT Energy, Infrastructure and Transport

Note: More detail will be added to the above regionally significant issues where these are specific to the topics and domains in the Plan chapters.

INTEGRATED MANAGEMENT

The cultural, social, and economic wellbeing of Tairawhiti's communities is dependent on the use, development and protection of Tairawhiti's natural and physical resources.

This chapter deals with the integrated management of the natural and physical resources of the whole region and the management of matters which are of regional significance. This chapter recognises that natural resources are interconnected, and the effects of use and development, including cumulative effects can affect environmental values over time and there is a need for an overarching policy approach that can achieve environmentally sustainable solutions.

Issues

IM-I1: Delivering for Māori

Approximately half of the region's population identify as Māori, it is vital that tangata whenua are involved in discussions and decisions for the future of the community to have their wants, needs and aspirations met, with these aspirations being reflected throughout this plan.

IM-I2: Ki uta Ki Tai

The sustainable management of the natural and physical resources of Tairawhiti relies on an integrated management approach being taken to address the issues of regional significance, including those issues of significance to iwi authorities.

Natural and physical resources are interconnected, and the relationship between them is complex. Natural resources should be managed in an integrated, sustainable, consistent and effective way because the use and development of one resource may adversely affect another resource, or the system as a whole.

IM-I3: The integrity and mauri of the environment is understood

The life-supporting capacity of soil, and mauri of fresh and coastal waters and their ecosystems is declining. This needs to be considered when making decisions about the management of resources. Iwi values and interests are reflected in plan provisions and resource consent decisions.

Air, land, water and associated ecosystems support the well-being of the community. The sustainable management, use and allocation of those resources relies on decisions being taken in light of the need to safeguard and retain the values of natural and physical resources, and inter-relationships between those resources.

IM-I4: Our Natural Environment

Tairāwhiti natural and cultural history, has been slowly lost over time. It is important that we do what we can to preserve our existing natural environment, alongside taking an active role in restoring these environments.

IM-I5: Climate change

Climate change will bring more frequent and extreme weather events, we will need to understand where we need to build more resilience, and where new developments should or should not go.

The importance of having a resilient and future-proof infrastructure network has become prevalent in recent times, particularly with the risk of exposure to more frequent and intense weather events with the continuation of climate change.

IM-I6: Climate change and natural hazards

Climate change will increase the frequency and intensity of weather events exacerbating the effects of some natural hazards impacting on where people live and play and how communities provide for their economic needs.

Tairawhiti's geology means that some land uses and practices are contributing to increased erosion resulting in the decline of soil resources, water quality and the loss of biodiversity and ecosystems. These are made worse during weather events.

IM-I7: Growth and development

For Tairāwhiti to grow and develop into a lively and bustling community, there needs to be a reliable and well thought out infrastructure network to support this growth. There is an opportunity for our urban and rural communities to become more connected to each other through creating more transport connection options and ensuring infrastructure is planned for and in place when it is needed.

IM-I8: Integration between the built environment and the natural environment

Lack of integration of the built environment within the natural environment can degrade the natural environment, as well as contribute to poorly functioning urban areas and associated poor cultural, economic and social wellbeing of our communities.

Natural processes can impact the built environment. Where we can build is constrained by areas susceptible to natural hazards and highly productive land.

IM-I9: Land management

What happens on the land effects the health of the receiving environment. Having the right land use in the right place has not always happened. Development should occur within the confines of the environment and to support the uptake of sustainable energy use solutions. The effects from climate change are increasing, the wrong land use in the wrong place can exacerbate the effects, creating additional sedimentation and other effects from slope stability and flooding.

Objectives

IM-O1: Strong partnership between iwi and council

There is a strong partnership between iwi and Council where iwi are significant contributors to decision making on the planning, restoration and protection of Tairawhiti's resources/taonga for future generations.

IM-02: Supporting iwi to protect and manage taonga

Iwi are actively protecting and managing taonga within their traditional rohe, independently and, where agreed with support from council, through joint management agreements or a transfer of functions, powers or duties.

IM-O3: Iwi relationship with their and natural resources

Iwi maintain their relationship and connection with their land and are able to access and use natural resources.

IM-O4: Enabling housing solutions on Māori land

Development on Māori land for papakāinga and other Māori-led housing solutions contribute to whānau wellbeing are enabled and Māori are able to be responsive to the impacts and effects of climate change.

IM-O5: Ki Uta Ki Tai

Ki uta ki tai is applied in decision making and the management of Tairawhiti natural resources, recognising the environment as an interconnected system from the mountains down to the rivers, and out to the sea.

IM-O6: Maintaining the health of the natural environment

The health of the natural environment maintained or improved.

The integrity, form and reliance of the life supporting capacity of air, water, soil, ecosystems and indigenous biodiversity for future generations is safeguarded.

IM-O7: Maintaining the health of the natural environment

Land use is managed in a way that doesn't diminish the natural environment as a result of weather events.

IM-O8: Significant values are protected

Our natural taonga are healthy and significant values are protected for everyone to enjoy now and in the future and available for cultural purposes, with the regional community practicing active guardianship.

IM-O9: Connecting biodiversity ?

Our region's biodiversity hotspots are connected by a series of bio corridors along waterways and throughout urban areas through having a green city with an abundance of trees for shade, amenity and biodiversity.

IM-O10: Terrestrial and coastal environments are sustainable.

The terrestrial and coastal environments are sustainably managed, and sustain our whanau, cultural and public recreational use.

IM-011: Threat from climate change

The threat of climate change is recognised, and communities respond by changing the way they live and do business.

IM-012: Using natural systems to build resilience

Natural systems are used to increase our resilience to natural hazards.

IM-013:Reducing carbon emissions

The region is able to create clean energy, with carbon emissions being lowered by 50% over the next 30 years and our ecological footprint is reduced.

IM-O14: Hazard risks are reduced

Hazard risk and climate change emissions are reduced.

IM-015: Improving resilience

The community is supported to prepare, plan and improve their resilience while ensuring that natural processes and ecological health is maintained.

IM-016: Supporting urban areas

Our urban areas including rural townships are developed within keeping of their character, supported by sustainable infrastructure and services to deliver long-term social and economic resilience, and providing places where people can meet, connect, participate in, and work.

IM-017:Multi purpose public open spaces

The creation of multi-purpose public spaces, and exploring alternative uses for grey water and wastewater.

IM-018: The interrelationship between the built environment and the natural environment

The natural environment is maintained and supports healthy functioning rural and urban areas through the retention or reinstatement of natural systems.

IM-019: Built environments supports community wellbeing

The built environments support local character, are well-functioning urban areas, contribute to enhanced ecosystems, and the economic, cultural and social wellbeing of the community.

IM-020: Planning for future generations

Tairāwhiti has a circular economy that supports diverse, inclusive and sustainable growth, with plans focussing on restoration and regeneration by design to enhance Tairāwhiti's natural and built environment for future generations.

IM-021: Enhancing our natural environment

Land use and development maintains or enhances ecological diversity, healthy waterways and marine environments, and the potential for erosion and discharge of sediment is reduced.

IM-022: Land uses are optimised

Land uses are optimised to suit their physical and cultural setting, and with wastewater entering the regions waterways and sedimentation into waterways is minimised.

IM-23: Mauri of the natural environment is sustained

Use and development retains or improves the mauri of the natural environment, and in areas where it has been depleted, are enhanced to replenish the mauri.

Use and development maintains or enhances ecological diversity, healthy waterways and marine environments, and the potential for erosion and discharge of sediment is reduced,

IM-O24: Cumulative effects are managed

The cumulative effects from activities and use of the natural resources including any of their associated values identified within the RPS are managed sustainably and are carried out in a way that maintains their integrity, resilience and their life supporting capacity now and for future generations.

Policies

IM–P1: Enabling iwi to contribute to consent decisions

(1) Iwi are provided opportunities and are enabled to contribute to decisions on resource consents.
(2) The region's iwi relationship with natural resources and cultural values associated with our environment, is recognised and mana whenua are enabled to exercise kaitiakitanga, and incorporation of mātauranga Māori into decision making,
(3) When identifying and managing taonga of importance to iwi, principles of Te Ao Māori, Mātauranga Māori, and kaitiakitanga are applied.

IM–P2: Providing for mana whenua cultural values in achieving integrated management

To recognise and provide the relationship of iwi with natural resources and associated cultural values, by:

(a) recognising the relationship between Māori, ancestral land, taonga and the natural world,

(b) facilitating and enabling mana whenua to exercise kaitiakitanga, and the incorporation of mātauranga Māori into decision making,

(c) providing for the protection of waahi tapu sites and waahi tupuna as identified by tangata whenua from new subdivision, use and development,

(d) ensuring resource management provides for the connections of iwi to wāhi tūpuna, water and water bodies, the coastal environment, mahika kai and habitats of taonga species and

(e) enabling development on māori land to meet housing, education and health needs.

IM-P3: Integrated approach

(1) The provisions throughout this plan form an integrated package, in which all provisions must be interpreted and applied to achieve the strategic directions and integrated management objectives, and the use and development does not exceed environmental constraints or diminish environmental values.

(2) The use and development of the natural environment and ecosystems is based on understanding of:

(a) the environment as an interdependent whole system that relies on the connections between natural and physical resources to flourish.

(b) the inter-connected nature of these resources and the processes operating between them and recognises that the well-being of each resource is connected to the well-being of the other resources around it.

(3) The interests of iwi in air, land, fresh and coastal waters is understood and central to the sustainable management of natural resources. These natural resources are recognised as taonga and as holding great significance in te ao Māori.

(4) To coordinate the management of interconnected natural and physical resources by recognising and controlling:

(a)situations where the value and function of a natural or physical resource extends beyond the immediate, or directly adjacent, area of interest,

(b) the adverse effects of activities, and taking a holistic when a natural resource is managed as sub-units, and

(c) the impacts of management of one natural or physical resource on the values of another, or on the environment.

IM-P4: Precautionary approach

Adopt a precautionary approach towards proposed activities whose effects are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Tairawhiti have not been identified in the Plan.

IM-P5: Diverse economy

(1) The use, development and protection of resources supports a diverse economy that is innovative, inclusive and sustainable, that does not exceed the capacity of the environment.

IM-P6: Preservation for future generations

Preserve opportunities for future generations by:

(a) identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded,

(b) requiring that activities are established in places, and carried out in ways, that are within those limits and are compatible with the natural capabilities and capacities of the resources they rely on, and

(c) regularly assessing and adjusting limits and thresholds for activities over time in light of the actual and potential environmental impacts

IM-P7: Effects on receiving environments are addressed

(1) Recognise that not all effects on natural or physical resources can be mitigated, and that there are values and interests associated with the environment that can be irreversible and irreplaceable and avoid effects on ecosystem health and those significant values.[1]

(2) Significant or irreversible adverse effects on threatened or vulnerable species is avoided.

(3) Adverse effects of subdivision, land use and development on receiving environments within Tairāwhiti are managed using the effects management hierarchy whereby:

(a) in the first instance, activities that have potential adverse effects on the recognised values of a natural resource, other than activities carried out in accordance with restoration management plans, shall be avoided. If effects cannot be avoided, the adverse effects of activities shall be managed by (b) to (g) below.

(b) avoiding adverse effects to the fullest extent practicable, and

(c) minimising the scale of effects where adverse effects cannot be avoided, and

(d) where adverse effects cannot be avoided and/or minimised, they are remedied, except as provided for in (a) to (g), and

[1] https://www.doc.govt.nz/about-us/our-policies-and-plans/guidance-on-biodiversity-offsetting/

(e) where significant more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible, and

(f) if offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided, and

(g) the activity itself is avoided if compensation cannot be undertaken in a way that is appropriate as set out in Schedule X, including Clause X of that Schedule.

(4) IM-P6 (1)(e) and IM-P6 (1)(f) will not be applied to areas whose values have been identified and recognised as being vulnerable or rare or are of such significance that adverse effects cannot be avoided through compensation or offsetting. This is to ensure that permanent or irreversible adverse effects are avoided in these areas.

(5) Activities within waterbodies including activities in the beds of lakes, rivers and natural wetlands that meet the exceptions in Policy IM-P6(1) that applies to significant natural or cultural values identified in the plan, the following applies:

(a) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible, and

(b) if offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided, and

(c) the activity itself is avoided if compensation cannot be undertaken in a way that is appropriate as set out in Schedule X, including Clause X of that Schedule.

IM-P8: Managing allocation

(1) Resources do not exceed their life-supporting capacity and overallocation is avoided, and the connections between natural resources is understood or a precautionary approach is applied.

(2) Where over allocation is already identified the over allocation is to be reduced to be within the resource's limits.

(3) When allocating resources, cultural and social long term needs are considered.

IM-P9: Recognising positive effects

(1) Recognise the positive environmental effects from subdivision, land use and development, and on freshwater quality and quantity where these contribute to:

(a) meeting limits identified for freshwater bodies, water quality is maintained and the activity promotes positively to freshwater targets.

(b) improving or sustaining coastal or freshwater quality.

(c) improving ecosystem values within freshwater, marine, coastal and terrestrial environments.

(d) improving air quality.

(e) maintaining or improving soil health.

(f) maintaining or improving biodiversity and ecological values and meeting indigenous vegetation limits.

(g) reducing the effects from natural hazards and climate change and ensure they are not exacerbated.

(h) the retention of environmental and cultural values, and the sustainable management of Tairāwhiti's natural environment

(i) transitioning away from a reliance on fossil fuels and is built around a strong renewable energy network.

(j) moving toward higher value industry and economic diversification.

(k) supports a regenerative economy, entrepreneurship, innovation, and uptake of emerging technologies.

IM–P10: Setting a strategic approach to ecosystem health

Healthy ecosystems and ecosystem services are achieved through a planning framework that:

(a) protects the intrinsic values and ecosystem health,
(b) takes a long-term strategic approach that recognises changing environments,
(c) recognises and provides for ecosystem complexity and interconnections, and
(d) anticipates, or responds swiftly to, deterioration of the quality and quantity of the resoruces, changes in activities, pressures, and trends.

IM–P11: Use and development of land

(1) Use and development occurs within the confines of the capacity of the cultural values, community outcomes, the retention of natural environmental values, any geotechnical constraints, and waterbody outcomes and limits.
(2) Development and land use activities:
  (a) are located in places where the use and development is sustainable, vulnerable erosion prone land is avoided, erosion is not increased and can meet freshwater management objectives, limits and targets,
  (b) promote cultural, historic and natural heritage values and create spaces where people can meet, connect, participate in, and enjoy community and civic life,
  (c) are compatible with the character, physical and cultural setting
  (d) are not located on highly erosion prone land, and in all other areas there are effective sediment controls in place that may include a mosaic of permanent vegetation or other permanent solutions
  (e) retain indigenous vegetation, or reinstate permanent vegetation cover on highly erodible and the most vulnerable steep land to minimise the potential for land slips, erosion and sedimentation of water bodies.
  (f) contribute to ecological diversity, healthy waterways and marine environments.
  (g) avoid residential and industrial activities on high quality versatile soils.
  (h) implement water conservation practices, together with other innovative solutions, to reduce the pressure on freshwater bodies by increasing the efficiency of water use and commercial use of recycled urban wastewater.

IM-P12: Managing cumulative effects

(1) Tairawhiti's environmental integrity, form, function, and resilience is retained.

(2) Opportunities for future generations are protected by recognising and specifically managing the cumulative effects of activities on natural and physical resources in plans and explicitly accounting for these effects in other resource management decisions.

IM–P13: Setting a strategic approach to ecosystem health

(1) Healthy ecosystems and ecosystem services are achieved through a planning framework that:
- (a) protects the intrinsic values and ecosystem health,
- (b) takes a long-term strategic approach that recognises changing environments,
- (c) recognises and provides for ecosystem complexity and interconnections, and
- (d) anticipates, or responds swiftly to, deterioration of the quality and quantity of the resources, changes in activities, pressures, and trends.

IM–P14: Integration of infrastructure

(1) Use and development is either connected to council reticulated infrastructure, or water take and discharges of contaminants are within environmental limits

(2) The use of blue-green infrastructure when developing our built environment is preferred over hard infrastructure. This includes waterbody setbacks, and the retention and maintenance of riparian margins and urban wetlands both natural and man-made.

(3) Significant environmental values associated with freshwater, wetlands and biodiversity are protected and enhanced when subdivision and urban development occurs.

(4) Reverse sensitivity issues created through urban development and expansion are identified and managed.

(5) Activities on highly productive land that support the long-term capacity of the soil resources are promoted.

(6) Activities that create reverse sensitivity effects on highly productive land are identified and managed.

(7) Enable planting of indigenous vegetation on highly erodible land to support soil retention on versatile and highly productive land.

(8) Built environment is on established on high risk areas.

IM–P15: Taking a risk based approach

(1) A risk-based approach to manage natural hazards and climate change adaptation is used when development occurs.

(2) Natural defences are considered first to provide protection against natural hazards and effects of climate change.

IM–P16: Responding to climate change and managing natural hazards

(1) Recognise and provide for climate change processes and risks by identifying climate change impacts in Tairawhiti, including impacts from a te ao Māori perspective, assessing how the impacts are likely to change over time and anticipating those changes in resource management processes and decisions.

(2) Plans and decisions take a risk-based approach when managing natural hazards, land use, and climate change adaptation.

(3) The benefits of retaining or reinstating a network of natural defences/systems that provide protection against natural hazards is identified and taken into accoun t.

(4) To have particular regard to solutions that use the ability of natural defences to increase the resilience of the community, for example, by retaining and restoring sand dunes, riparian margins and wetlands, and including swales and ponding areas when development occurs.

(5) Use and development is not located where there is the potential to increase the effects of natural hazards on communities or on important habitats of indigenous species, and are located where the increased effects from climate change are minimised.

(6) Residential and sensitive land uses and development are located outside known high risk hazard areas.

(7) communities have established responses for adapting to the impacts of climate change, are adjusting their lifestyles to follow them, and are reducing their greenhouse gas emissions to achieve net-zero carbon emissions by 2050.

IM–P17: Climate change adaptation and mitigation

(1) Identify and implement climate change adaptation and mitigation methods for Tairawhiti that:
- (a) Are designed and located to manage the adverse effects on the environment
- (b) Alternatives are assessed and the least environmental impact is implemented
- (c) minimise the effects of climate change processes or risks to existing activities
- (d) prioritise avoiding the establishment of new activities in areas subject to risk from the effects of climate change, unless those activities reduce, or are resilient to, those risks
- (e) provide Tairawhiti's communities, including iwi, with the best chance to thrive, even under the most extreme climate change scenarios, and
- (f) Enhance environmental resilience to the adverse effects of climate change by facilitating activities that reduce human impacts on natural processes and the environment.

IM–P18: Contravening environmental bottom lines for climate change mitigation

Where a proposed activity provides or will provide enduring regionally or nationally significant mitigation of climate change impacts, with commensurate benefits for the well-being of people and communities and the wider environment, decision makers may, at their discretion,

allow non-compliance with an environmental bottom line set in any policy or method of this RPS only if they are satisfied that:

(1) the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and functional needs,

(2) the activity is consistent and coordinated with other regional and national climate change mitigation activities,

(3) adverse effects on the environment that cannot be avoided, remedied, or mitigated are offset, or compensated for if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is:

(a) undertaken where it will result in the best ecological outcome,

(b) close to the location of the activity, and

(c) within the same ecological district or coastal marine biogeographic region,

(4) the activity will not impede either the achievement of the objectives of this RPS or the objectives of regional policy statements in neighbouring regions, and

(5) the activity will not contravene a bottom line set in a national policy statement or national environmental standard.

IM-P19: Management of the natural and built environment

Use and development of the natural and built environment maintains the health of natural resources and ecosystem values, and within that framework, decisions provide for :

(1) protection of natural environment, and identified heritage, cultural values.
(2) a safe, efficient and integrated transport network that facilitates walking, cycling and public transport as preferred choices.
(2) revitalisation and growth in Gisborne's central business district.
(3) development of papakāinga and other Māori-led housing solutions that support the ability of Māori to maintain a connection to their land.
(4) housing solutions that contribute to community wellbeing and housing affordability and are responsive to the impacts and effects of climate change.

IM–P20: Development to occur within the constraint of the environment

(1) The use and development of land, including rural land, is enabled within the confines of the capacity of the cultural values, community outcomes, any geotechnical constraints, and waterbody outcomes and limits while retaining Tairawhiti's natural environmental values.
(2) Tairawhiti's environmental integrity, form, function, and resilience, and opportunities for future generations, are protected by recognising and specifically managing the cumulative effects of activities on natural and physical resources in plans and explicitly accounting for these effects in other resource management decisions.

IM–P21: The environment is improved through use and development

(1) The use and development of terrestrial, marine and aquatic environments:

(a) Recognises and protects associated environmental values,

(b) Provides a long term strategic approach,

(c) Recognises the complexity and provides for ecosystem health and maintains interconnections between parts of the environment,

(d) Recognises the potential impacts from the use of natural resources,

(e) Recognises that their extents are not confined to property boundaries,

(f) Recognises ecosystem services and providing for their maintenance,

(g) Recognises that management of one part of the system will have an effect on another part.

IM-P22: Decision priorities

(1) The health of the environment is the first priority. Unless expressly stated otherwise, all decision making under this RPS shall:
   (a) firstly, secure the long-term life-supporting capacity and mauri of the natural environment,
   (b) secondly, promote the health needs of people, and
   (c) thirdly, safeguard the ability of people and communities to provide for their cultural, social, and economic well-being, now and in the future.

IM-P23: Catchment based planning

When promoting environmental restoration, enhancement and maintenance, these are to be considered on a catchment basis, and managed to achieve the outcomes in the objectives identified to restore the values of a natural resource.

Principal reasons for adopting the objectives, policies, and methods of implementation set out in the RPS

The purpose of the RPS is to incorporate integrated and sustainable management of the natural and physical resources of the region that are aimed at responding to our issues of regional significance and issues of significance to iwi authorities.

The importance of air, land, water and ecosystems to community health and well-being, and how these resources are interrelated should be recognised in the management, use and allocation of these resources.

The interests of iwi in air, land, fresh and coastal waters is understood and central to the sustainable management of natural resources. These natural resources are recognised as taonga and of holding great significance in te ao Māori.

Integration between the natural and built environment is pivotal to maintaining a healthy natural environment and a strong relationship between the community and the environment.

Poor integration of the built environment can lead to poorly functioning urban areas, degraded ecosystems, and poor economic and social wellbeing of the community.

Naturally occurring processes can impact the daily functioning of the built environment. Land use and development needs to be carefully planned with these processes in mind to ensure the risk of effects from these natural processes is minimised or avoided, with preference for the use of blue-green infrastructure over hard infrastructure.

COPY - DRAFT RPS 20 MAY 24

WORKING DRAFT: STRATEGIC DIRECTION

This Chapter provides the overarching direction for decisions about the management of natural and physical resources under the TRMP. The provisions in this chapter set objectives and policies that direct how decisions about resource use and values will be made.

The general and resource specific provisions in this chapter have primacy over the objectives and policies in the other chapters of the Plan, which must be consistent with the objectives in this Chapter.

Overarching objectives

Objective X Te Taiao (the environment)

1. Decisions about the use, development and protection of the Region's natural and physical resources:
   a. place the needs of Te Taiao (the environment) first, followed by meeting the social, and economic needs of the community,
   b. use and development of resources addresses degradation and transitions towards more sustainable outcomes for coastal and freshwater systems,
   c. identifies and protects significant environmental values,
   d. the values associated with natural systems, riparian margins and the environment are improved and retained,
   e. the values associated with the environment are retained, and improved where degraded,
   f. biodiversity values in the region are increased, natural systems and the life supporting capacity of air, water, soil and ecosystems are safeguarded, and the connections between them are maintained,
   g. protects significant cultural and heritage values
   h. recognises that some resources are finite and ensures resources are conserved and used efficiently
   i. the relationship between the health of the natural environment and the health and well-being of people and communities
   j. maatauranga Māori and western science are both considered

2. Kaitiakitanga, and the relationship of Māori with ancestral land and taonga, is recognised and mana whenua can actively participate in planning and decision-making in relation to the use, development and protection of land, cultural heritage, the coastal environment, waterbodies, habitats of indigenous species and ecosystems.

3. The use and development of natural and physical resources first provides for the protection of the health of the environment, safeguards the health of air, soil, water and ecosystems, then those resources may be used in a way that promotes the well-being of both present and future generations

Explanation

Te taiao is a concept that puts the environment first. The use and development of natural and physical resources will first provide for the protection of the health of the environment, safeguards the health of air, soil, water and ecosystems, then those resources may be used in a way that promotes the well-being of both present and future generations .

Air, land, freshwater bodies, estuaries, and the coastal marine area are recognised as integrated and connected resources. Significant ecological, cultural and historic values are protected. The intrinsic values of fresh water, estuarine, and marine ecosystems are recognised, and the life supporting capacity of air, water, soil and ecosystems is safeguarded in plans and by decisions makers.

Objective X Ki uta ki tai (mountains to sea)

Ki uta ki tai is applied in decision making about the management of Tairawhiti natural resources, recognising the environment as an interconnected system and managing the impacts of use, and development on natural resources from the mountains down to the rivers, and out to the sea. A precautionary approach is taken where the nature and scale of effects on resources are uncertain or unknown.

Explanation

Ki uta ki tai is an overarching approach that recognises the interconnectedness of the whole environment – that land, freshwater, ecosystems and the coastal environment have a relationship with each other and cannot be separated. Decisions made under the TRMP are guided by the concept of ki uta ki tai, ensuring that the use and development of land, and natural and physical resources are managed so they do not create adverse effects for the receiving environment, the needs of future generations are met, and the life supporting capacity of air, water, soil and ecosystems is safeguarded

Policies

General

All resource management plans and decision making applies the following principles:

- Ko te taiao mea nui: Places te taiao (the environment) at the centre of decision-making and achieves healthy, resilient and safeguarded natural ecosystems, ecosystem functioning and ecosystem services.
- Mō tātou, ā, mō kā uri ā muri ake ne: supports decision-making for mokopuna and the well-being of present and future generations.
- An integrated management approach is applied to deliver greater resilience and environmental outcomes that retain or improve the values associated with terrestrial coastal, and aquatic environments.
- The connections and interactions between land, land use and development, freshwater, the coastal and marine environments and associated ecosystems are managed to improve or maintain environmental values,
- The intrinsic value of ecosystems and biodiversity are recognised, improved and protected with no further loss of significant natural heritage or cultural values.

- The use, development and protection of the coastal environment and freshwater waterbodies and their margins does not exceed environmental constraints, and provides for the needs of future generations,
- Subdivision, use and development supports a diversified economy that supports the local community and enables a good balance of industry sectors that are sustainable, regenerative, and promote innovation.
- The use, development and protection of natural and physical resources facilitates the uptake of emerging technologies to enable the community to be engaged in high value education, commercial activities and employment.

Biodiversity, ecosystems and habitats

- Biodiversity, ecosystems, indigenous vegetation, and the habitats of rare and threatened species are identified and protected, and enhanced where degraded.

Cultural and Heritage Values

- Resource management decisions recognise and promote the identity and cultural heritage of the region, and results in:
    - the identification, protection/conservation and promotion of landscapes, places, spaces and sites that have significant cultural and historic, heritage values.
    - increased understanding and appreciation of the history and culture of Tairawhiti.
    - the adaptive reuse of cultural heritage buildings and structure where this retains cultural heritage values and facilitates the retention of the resource.

Energy, Infrastructure and Transport

- The resilience of our infrastructure, economy and our communities is improved, and takes into account the future effects of climate change.
- The region has safe, efficient and resilient infrastructure that enhances the economic, cultural, environmental and social well-being in the region.
- Planning, development and maintenance of infrastructure recognises and provides for māori values, ecological values and values associated with outstanding natural, landscapes, features, seascapes and natural character,

Fresh water

- The mana of the whenua and mauri of the waterways in Te Tairāwhiti is restored.
- Resource management plans and decision making:
    a. provides for the values and ecosystem health of freshwater bodies first,
    b. and the health needs of people second, and
    c. the social, economic, and cultural well-being needs third.
- Use and development of land and water is controlled where that will assist decision makers to achieve catchment visions, outcomes and targets.
- Not allow any new over allocation of waterbodies
- To reduce existing over allocation of freshwater over time by applying allocation mechanisms within the context of a holistic view of Te Mana o te Wai,

- Recognise the positive effects of municipal supplies of potable water and treated wastewater and stormwater
- Enable all marae and in papakāinga to meet their needs for a supply of potable water
- Abstraction of water from river catchments retains water in rivers above environmental flows for that water body and enhance the quality of water in our rivers, streams, lakes, and wetlands
- Establish setbacks from water body and maintain, improve and restore the health of ecosystems and waterways
- Maintain natural processes, groundwater levels and water quality at sustainable levels, and improving those natural regimes where these have been degraded.
- Protect the natural character and natural ecological functioning of our wetlands, lakes, rivers and streams
- Protection of remaining wetland extents and promoting restoration where historical activities have resulted in a loss in extent

Land & Soil

- Use and development of land and natural resources is managed to reduce impacts on the values of freshwater and the coastal marine environment
- Land uses are compatible with soil type, soil conservation practices are implemented, and vegetation is reinstated and retained on highly erodible land
- The amount of sediment entering water is reduced, and waterbodies and the coast is protected from contaminants, debris and accelerated erosion
- Use and development that is incompatible with aquatic values is phased out over time.
- The management, use and development of land and water recognises environmental constraints and is optimised to suit the natural, physical and cultural setting, and adapt to changing climate patterns.

Natural Hazards

- Community resilience is increased and the impacts of climate change on present and future generations is reduced.
- The risk to the health and well-being of people is not increased as a result of activities and new development being located in areas vulnerable to a high risk from natural hazards,
- The potential impact on the freshwater and coastal environment from mitigation measures is reduced to the smallest impact practicable
- Community resilience and the security of water supply, stormwater and wastewater discharges is improved by implementing natural measures wherever possible, and ensuring all measures are compatible with the ecological needs and natural flow regime of waterbodies.

Urban form and development

- The urban growth strategy in the FDS is implemented.
- The design and location of urban subdivision use and development retains areas that have of significant natural and cultural values, and increases biodiversity.
- The regional urban form recognises the different scale and character of the regional communities,

- Subdivision, use and development in urban areas promotes a resilient urban form that is integrated with commercial, educational and community services, and
    - the life supporting capacity of air, soil, water and ecosystems is safeguarded.
    - reflects the characteristics of urban spaces and rural settlements, and responds to changes to population, land suitability, infrastructure needs, and transport.
    - celebrates Māori culture, and cultural, historic and natural heritage
    - improves housing choices, including papakāinga, that provides spaces and places that reflect the identity and needs of our communities.
    - facilitates the lowering of carbon emissions,
    - has high accessibility to urban amenities and high-quality urban services, and
    - recognises and responds to the degree of any hazard risk and any environmental constraints.
- Development and intensification of residential areas is discouraged where the water supply and wastewater infrastructure, commercial, community and education facilities does not have capacity to support growth.

Decision making and processes

- Decisions on land use and water give effect to te mana o te wai
- The directive wording of the RMA is applied, and decisions place greater weight on achieving the outcomes associated with matters of national importance required.
- Resource management plans and decisions on resource consent applications recognise rangatiratanga, and Involve Māori in freshwater decision-making, and assists where possible with capacity, capability and resources so Māori can do so effectively
- Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of cultural heritage, the coastal environment, waterbodies and aquatic ecosystems.
- Integrates Te Ao Māori and mātauranga Māori into the management and monitoring of natural and physical resources
- Recognises and uses mātauranga Māori alongside western science
- Adopts a precautionary approach where there is limited, uncertain or insufficient information available

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-179

Title: **24-179 Land Overlay 3B Mapping**

Section: Strategic Planning

Prepared by: Janic Slupski - Principal Policy Advisor

Meeting Date: Thursday 13 June 2024

Legal: Yes	Financial: Yes	Significance: **High**

Report to TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to endorse the verification approach of the landslide susceptibility and morphometric connectivity layer for the development of spatial mapping and making the data publicly available.

SUMMARY – HE WHAKARĀPOPOTOTANGA

This report provides a brief recap of background information previously covered in **Report 24-31** on 28 February 2024. Following that report, Council staff have been progressing different components of the forestry plan change programme. One of the components of the programme is the development of Land Overlay 3B (LO3B), which is an extension to our current land overlay framework in the operative Tairāwhiti Resource Management Plan. This is the worst eroding land across the region, and through identification will be land marked for transitioning out of plantation forestry and/or pastoral farming and into permanent vegetation cover.

As part of developing the LO3B, Council contracted Manaaki Whenua – Landcare Research to develop a landslide susceptibility and morphometric connectivity layer. This layer maps the spatial probability of landslides into the streams and rivers in our region, using a LiDAR-derived Digital Elevation Model (DEM). This work was completed in mid-March 2024.

Prior to further use and distribution of the landslide susceptibility and morphometric connectivity layer, the next step is a verification of the layer. This report recommends preparing a verification report, which will include:

- An outline of the methodology created by Manaaki Whenua – Landcare Research to develop, test and confirm the landslide susceptibility and morphometric connectivity layer.
- Council internal peer review which includes desktop assessment and site visits to determine how the data lines up with our understanding of the region. We're going to use each of the seven freshwater planning catchment areas to break the assessment down into more manageable bits and to reinforce the relationship between land use and freshwater.
- Independent peer review done by Hawke's Bay Regional Council (HBRC).

The verification report will confirm that the data is reliable enough to use for identifying and managing different types of risk (including LO3B). Once the landslide susceptibility and morphometric connectivity layer has been verified that it is fit-for-purpose for our region, the layer can then be used in the development of LO3B and any external use and distribution purposes until the LO3B is developed.

The decisions or matters in this report are considered to be of **High** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. **Approves to verify the landslide susceptibility and morphometric connectivity layer by preparing a verification report for:**
    a. **The development of Land Overlay 3B, and**
    b. **Any external use and distribution purposes.**

Authorised by:

Nicki Davies - Acting Director Sustainable Futures

Keywords: TRMP, Forestry Plan change, Land Overlay 3B mapping, Forestry, Forestry Harvest Plan Change, TRMP provisions

BACKGROUND – HE WHAKAMĀRAMA

Sustainable management of forestry activities has become a critical issue for Tairāwhiti

1. Wide-scale forestry harvest on highly sensitive land has occurred at a time when the region has been exposed to regular severe weather events. The effects of slash mobilisation and mass erosion on the receiving environment, infrastructure and our communities has compounded to a critical point where our communities have become increasingly vocal about the need to change. This call to change crystalised in the wake of cyclones Hale and Gabrielle in early 2023, with the latter bringing the issue of land use, environment and community resilience into national attention.

Early responses - Issues and Options report, workshop with councillors

2. Work started on plan change options from early 2023. Lois Easton (local consultant) developed an Issues and Options report immediately following Cyclone Hale. The report recommended a package of measures were needed to address the issues, including:
    - additional regulatory measures in relation to afforestation, replanting and harvest on the riskiest land in the district (LO3B), and
    - inclusion of more widespread measures within the Tairāwhiti Resource Management Plan (TRMP) that aim to address adverse effects of sediment and woody debris from forestry harvest on waterbodies and the coast.
3. Ms Easton facilitated a Workshop on Plan Change Options with councillors on 8 June 2023. Councillors indicated their interest in exploring all available options to better manage forestry activities.

Ministerial Inquiry into Land Use (MILU)

4. A Ministerial Inquiry into Land Use (MILU) was launched on 23 February 2023 to investigate the impacts of severe weather events, including Cyclone Hale and Gabrielle in Wairoa and Tairāwhiti.
5. The Ministerial Inquiry was also in response to an environmental petition presented to Council (**see** **Report 23-24**) on 26 January 2023.
6. The MILU panel was appointed in late February 2023. Eight large community hui and approximately 50 smaller hui with local organisations were held across Wairoa and Tairāwhiti. A consultation for the inquiry that started on 13 March received 313 public submissions by the 6 April closing date.
7. The final report 'Outrage to Optimism' was first published on 12 May 2023[2]. There are 49 recommendations in the report, many of which referred to the work of Council.
8. The MILU report has reinforced the need for implementing change. The report is uncompromising in its position on forestry practices and the generation of woody debris and sediment.

[2] An updated version released 17 May to correct recommendation numbering errors and internal references.

Ministerial appointees – RMA advisor, facilitator

9. On 4 September 2023, Michael Campbell was appointed the Resource Management Act (RMA) Advisor and Rachel Reese the Facilitator. The Ministry for the Environment (MfE) and the Ministry for Primary Industries (MPI) have provided support to both appointees as they build on the work done by the MILU. The Terms of Reference for both positions are available on MfE website[3]. Both roles are due to end in June 2024.

10. Both appointees have worked with Council teams to understand the roles and responsibilities of each team in recovery and future-proofing efforts. The appointees have also had multiple engagements with the forestry sector, iwi, and community representatives.

11. Council is currently seeking further clarity around whether these roles will continue beyond June 2024.

Development of a programme plan – September 2023

12. On the back of engagement with elected representatives and the forestry sector in 2023, a programme plan has been developed for this forestry plan change, which identifies two workstreams broadly reflecting the recommendations of the earlier Issues and Options report:

Workstream 1

- Provisions relating to the management of forestry harvest activities, including slash management and maximum area of harvest.
- An 'alternative compliance pathway' (currently termed Catchment Forestry Plans) that provides a more permissive consenting pathway for forestry activities based on the demonstrated application of forestry best practice.
- Economic modelling and analysis of plan change options.

Workstream 2

- LO3B identification and other spatial mapping for improved erosion risk identification and management.
- Development of other TRMP policy relating to forestry and farming activities.

13. More information on each of the workstreams is provided in **Report 24-31** (pages 228-230).

[3] https://environment.govt.nz/assets/Tairawhiti-appointments-Terms-of-Reference.pdf

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Mapping the worst eroding land in the region – Land Overlay 3B

14. The MILU report suggested amendments to the National Environmental Standard for Plantation Forestry (NES-PF) (now the NES for Commercial Forestry or NES-CF following the 2023 amendment) that include an extreme erosion susceptibility category - referred to as the purple zone[4]. We have been focusing on this recommendation as part of our forestry plan change programme.
15. Technology advances in mapping and computer modelling have enabled government agencies to create spatial data at a level of detail we have not had in the past. We can use this to make informed decisions about where land uses are most suited.
16. Our intention is to identify the worst eroding land across the region for transitioning to permanent vegetation cover. This is perhaps the most vital piece of work in our programme. If we can accurately identify these high-risk areas, gain support from our communities and work out pathways to transition, we have the potential to address a significant part of our region's erosion problem. The remaining highly productive land will continue to provide valuable primary produce.
17. We are currently calling this spatial layer LO3B, as an extension to our current land overlay framework in the operative TRMP[5].
18. What we are working towards is the combination of three types of spatial information:
    - Gully erosion layer
    - Landslide susceptibility layer
    - Morphometric connectivity model – an extension of the susceptibility layer.
19. This combined information will form the basis of LO3B mapping.

Gully erosion layer (Ministry for Primary Industries and Mike Marden)

20. Gully erosion is a significant erosion type in this region. Recent research by Mike Marden (ex-Manaaki Whenua – Landcare Research) indicates that the current area of hill country affected by gully erosion is only 5% less than what it was 60 years ago[6]. That is a small reduction despite the various remediation efforts since the 1960s.
21. We will look to include actively eroding gullies within the LO3B layer, in addition to the shallow landslide and connectivity layer.
22. Mike Marden is currently working with MPI to develop an updated gully erosion GIS database. Mapping for the region has been completed with analysis and a project report to come.
23. Council staff have access to older gully erosion data on their geodatabase. We are currently using this to understand how gully erosion and shallow landslide risks compare spatially.

---

[4] It's worth noting that Erosion Susceptibility Classes (ESC) in the NES-CF are mapped at a scale of 1:50,000. This scale is too coarse for councils to make sound planning decisions.

[5] This name is likely to change as we review our entire Land Overlay framework.

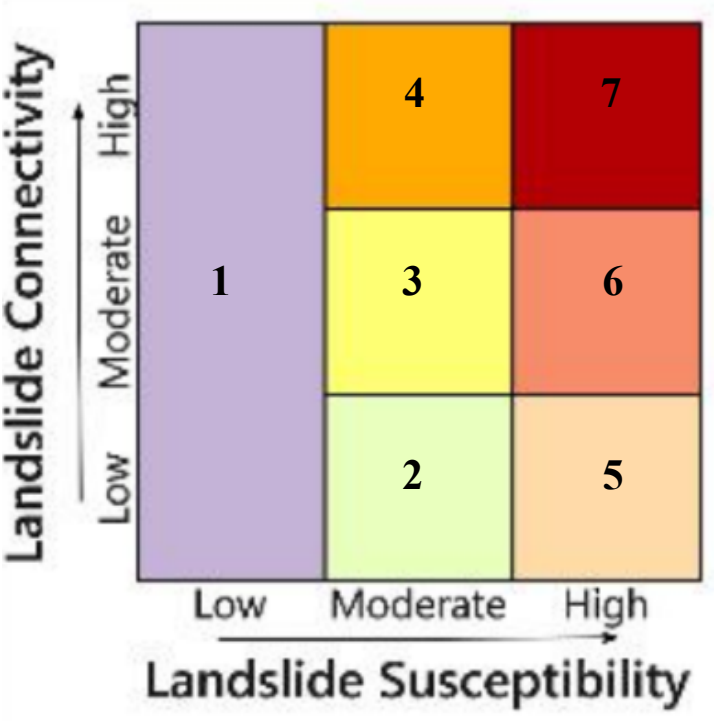
[6] Marden, M. and Seymour, A. (2022). Effectiveness of vegetative mitigation strategies in the restoration of fluvial and fluvio-mass movement gully complexes over 60 years, East Coast region, North Island, New Zealand. New Zealand Journal of Forestry Science. 52:19. https://doi.org/10.33494/nzjfs522022x226x

Landslide susceptibility, Morphometric connectivity layers (Manaaki Whenua – Landcare Research)

24. A lot of research was done in the aftermath of Cyclone Gabrielle. Part of this work involved the modelling of land vulnerable to landslide susceptibility. This was done by Hugh Smith at Manaaki Whenua – Landcare Research (Manaaki Whenua).

25. In December 2023 we engaged Manaaki Whenua to develop a morphometric connectivity model that aligns with the landslide susceptibility layer. The model uses a LiDAR-derived Digital Elevation Model (DEM) and identifies the spatial probability of those landslides reaching waterways.

26. These spatial probabilities were aggregated into seven classes corresponding to likelihood of landslide susceptibility and likelihood of connectivity:



Class	Description
1	Low Landslide Susceptibility (LS)
2	Mod LS / Low Connectivity
3	Mod LS / Mod Connectivity
4	Mod LS / High Connectivity
5	High LS / Low Connectivity
6	High LS / Mod Connectivity
7	High LS / High Connectivity

27. 4. Staff have since been considering a, identify options to identify LO3B and

Next steps: Verification of the landslide susceptibility and morphometric connectivity layer

28. Council staff are looking to verify the landslide susceptibility and morphometric connectivity model before developing the LO3B layer.

29. The drafting of a verification report will include three key components:
    - An outline of how Manaaki Whenua developed, tested and confirmed the landslide susceptibility and morphometric connectivity layer.
    - Council internal review which includes desktop assessment and site visits to determine how the data lines up with our understanding of the region. We're going to use each of the seven freshwater planning catchment areas to break the assessment down into more manageable steps.
    - Peer review of model by Hawke's Bay Regional Council (HBRC).

30. The function of the report is to confirm that the data can be readily applied for use in identifying and managing different types of risk (including LO3B). We're currently working on the document structure for populating the verification report.

31. The report will also set us up to explore options for mapping risk as part of our plan change work. This will form a critical part of our Section 32 process[7] – justifying our proposed LO3B layer and any other spatial layer we identify for managing erosion risk.

32. Once the verification has been completed, we will look to make the model publicly available. There is growing interest in this data from other agencies, particularly from the forestry sector and from infrastructure providers interested in resilience planning for roading, bridges, energy networks and other regionally significant infrastructure.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

33. This report is part of a process to arrive at a decision that will/may be of **High** significance level in accordance with the Council's Significance and Engagement Policy.

34. We are proposing that our most vulnerable land be transitioned into permanent vegetative cover. While the rationale and evidence for doing this is sound, creating a more stringent management layer will have operational and cost implications for the forestry sector. The sector will have a very keen interest in this information and are likely to test the rationale for determining LO3B, if not the data itself.

[7] Resource Management Act 1991 No 69 (as at 02 April 2024), Public Act 32 Requirements for preparing and publishing evaluation reports – New Zealand Legislation

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

Te Tiriiti Compass Framework

35. Consideration to how we have applied Council's Te Tiriti Compass to LO3B and our wider forestry policy work is outlined below.

36. **Kāwanatanga: We share decision-making for our region with tāngata whenua**. Council is currently developing a Memorandum of Understanding (MoU) with Te Aitanga a Hauiti (through the Hauiti Mana Kaitieki Collective) for the forestry plan change. The MoU will provide a framework for cooperation in the development and implementation of initiatives aimed at the sustainable management of freshwater within the Ūawa Catchment area, including but not limited to the Ūawa Catchment Plan.

37. The development of relationships through partnership arrangements allows council to empower and value Te Ao Māori in within the regulatory context. It allows Council and mana whenua to work together to address landuse issues that they face and move us towards shared decision making about the future of landuse in the region.

38. **Tino Rangatiratanga: Mana whenua aspirations are Council priorities.** The development of LO3B will ultimately support tangata whenua aspirations for achieving better environmental outcomes. Transitioning our worst eroding land to permanent vegetation cover will reduce soil erosion and improve the health of our waterways. Working with mana whenua to achieve these outcomes enables Council to support mana whenua aspirations for environmental restoration.

39. **Ōritetanga: Council understands, acknowledges, and redresses inequity.** Engaging at a catchment level allows us to address historical landuse decisions that have affected mana whenua directly.

40. Māori comprise more than half the population of our region. There are 228,000 ha of whenua Māori in Tairāwhiti, which are predominantly in Land Use Classification (LUC) 6, 7 and 8. According to StatsNZ (2018), the capital investment in forestry on Māori farms and lands in Tairāwhiti has increased by about 46%.

41. The complexity of land use decision-making for Māori was imposed by Te Ture Whenua Māori Act 1993. This Act is not well understood and imposes significant barriers to Māori trying to use their land for economic benefit. As well as imposing considerable bureaucracy, achieving the levels of support to be able to raise capital is often a slow drawn-out process that can result in sub-optimal access to capital to enable business plans to be prepared and executed.

42. Catchment-based korero enables us to capture and support mana whenua perspectives on these challenges and find ways to remove barriers.

43. **Whakapono: We empower and value Te Ao Māori.** An important part of our forestry work (including LO3B) is to enable the application of tangata whenua customs and practices to how we deliver changes to land use management. At the catchment level, we aspire to draw local expertise and mātauranga to inform a locally specific response to land use issues.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

44. Council held a community meeting in Ūawa on 14 March 2024 to kick off conversations on sustainable land use and the need for future planning with residents of the Ūawa Catchment[8]. Following the community meeting, Council staff revised its engagement approach and establish an Ūawa Catchment Working Group. The Group will consist of members from the community and nominated representatives from Ngāti Porou and Te Aitanga a Hauiti. More information can be found on the media release and on Council website.

45. The purpose of the Group is to gather the knowledge and local expertise of the people most familiar with the catchment area. The discussions from the Group will inform the development of the Catchment Forestry Plan and the Ūawa Freshwater Catchment Plan. The first hui will take place in mid-June 2024, with the Group covering both forestry and freshwater components in the first four hui to maintain an integrated approach in the catchment management planning.

46. Once the draft LO3B has been developed, we will socialise the draft LO3B with the Group for further discussion.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

47. Tairāwhiti is very susceptible to erosion due to the region's geology, slope, heavy rainfall, and previous removal of forest cover. Erosion is being exacerbated by some land use practices, natural hazards, and climate change. Climate change is expected to intensify the impacts of many natural hazards in our region, which will have far-reaching economic, environmental, social and cultural implications.

48. We anticipate the transition of LO3B land to permanent vegetation cover will support our region's resilience to climate change effects by stabilising land most vulnerable to erosion.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

49. The forestry plan change programme (including the development of the landslide susceptibility and morphometric connectivity layer for the LO3B) forms part of the wider TRMP review is included as part of the operational budgets in the **2021 – 2031 Long Term Plan**.

Legal

50. There are no legal implications associated with the information in this report.

[8] Hui Kicks Off Pilot For More Sustainable Ūawa Catchment | Scoop News

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

51. Reviewing the current regulatory framework for land use activities and developing LO3B align with the Strategic Framework for the 2024-2027 Three Year Plan (see **Report 23-314**). Of relevance are:

    - **We will prioritise resilient waters** – includes flood control and drainage, clean and clear waters, water security, while also recognising the relationship between catchment planning, TRMP, and addressing wood debris with urgency.
    - **We will enable effective regulatory functions**.

52. The land use planning review and the recovery programme also align with the longer-term community outcomes identified in the **Tairāwhiti 2050**. In particular:
    - Outcome 2: Resilient communities.
    - Outcome 5: We take sustainability seriously.
    - Outcome 6: We celebrate our heritage.
    - Outcome 7: A diverse economy.
    - Outcome 8: Delivering for and with Māori.

RISKS - NGĀ TŪRARU

53. **Resource and capacity constraints** – Council is undertaking the full TRMP review in 2 phases, with Phase 1 including the review of our Regional Policy Statement, freshwater provisions, and Urban Growth and Development provisions. Forestry was originally scheduled for Phase 2 of the TRMP review. In response to the impacts of the 2022-2023 severe weather events, this work has been brought forward.

54. While budget for the forestry plan change is allocated through the TRMP programme budget, the issue of capacity to assist the development of robust planning provisions under Phase 1 remains a risk. We have recently started to recruit consultants and Council staff to assist with this work. Once the positions are filled, we expect this risk to reduce.

55. **National policy direction** – The manifesto of the Coalition Government sets a different direction to that of the previous Government. Council staff expect that there will be a shift towards enabling development and less emphasis on the environment. However, the full intention of the Coalition Government remains to be seen. This is currently a **Low** risk as Council is expected to progress this work as part of Council's response to the Outrage to Optimism report, however this risk will change depending on future direction taken by the new Government.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
September 2024	Update to this Committee or to Council on Land Overlay 3B mapping and the wider policy development progress	

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-180

Title: **24-180 Establishing a Water Quality Expert Panel**

Section: Strategic Planning

Prepared by: Janic Slupski - Principal Policy Advisor

Meeting Date: Thursday 13 June 2024

Legal: Yes	Financial: Yes	Significance: **High**

Report to TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to approve the establishment of a Water Quality Expert Panel to support the technical review of the freshwater component in the TRMP.

SUMMARY – HE WHAKARĀPOPOTOTANGA

The Tairāwhiti Resource Management Plan (TRMP) freshwater workstream comprises nine inter-connected areas of work:

- seven catchment plans
- regional freshwater provisions
- supporting technical work to inform plans and provisions.

The team has been developing an updated and robust evidence base to inform the policy direction for catchment plans and the regional freshwater provisions. A key focus in each Catchment Plan is to implement the National Objectives Framework (NOF) process outlined in the National Policy Statement for Freshwater Management (NPS-FM) 2020. The NOF requires the setting of environmental outcomes, freshwater values and attribute states for 22 freshwater attributes for every river and lake in the region.

Where some councils may have undertaken more comprehensive technical work across all 22 NOF attributes, we have focused on those relevant to our region's core issues:

- The effects of intensive landuse on the Turanga Flats
- The effects of sedimentation region-wide
- The effects of E. Coli region-wide.

There are two key research gaps relating to water quality:

- **Research gap 1** – How to set realistic and defensible target attribute states on the Turanga Flats.
- **Research gap 2** – How to deal with region-wide water quality issues.

Councils throughout the country use a range of methods, tools and approaches to assess NOF-type scenarios. They are broadly categorised (with pros and cons) as:

- **Models** – complex catchment-scale mitigations are integrated to produce an indication of the direction and magnitude of water quality outcomes.
- **In-house expertise** – using in-house scientists and staff to undertake individual assessments within their area of expertise.
- **Expert Panel** – involves conducting scenario assessments with a group of subject matter experts to better understand the effects of each scenario.

This report seeks the establishment an Expert Panel to address the identified research gaps. **Table 2** in this report outlines the subsequent process in establishing an Expert Panel following this Committee's approval.

The decisions or matters in this report are considered to be of **High** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. **Approves the approach and establishment of the Water Quality Expert Panel as outlined in Table 2.**
2. **Approves the procurement of experts to be a part of the panel to cover the following areas of expertise:**
   a. **erosion and sediment processes**
   b. **freshwater ecosystems**
   c. **periphyton and macroinvertebrates**
   d. **mātauranga Māori**
   e. **groundwater**
   f. **estuarine, and E. Coli.**

Authorised by:

Nicki Davies - Acting Director Sustainable Futures

Keywords: TRMP, Freshwater, Water Quality, Expert Panel, RMA, freshwater management, resource management, Tairāwhiti Resource Management Plan, catchment plans, regional freshwater plan

BACKGROUND - HE WHAKAMĀRAMA

Freshwater team

1. The freshwater workstream comprises nine inter-connected areas of work:
    - seven catchment plans;
    - regional freshwater provisions; and
    - supporting technical work.
2. Report 24-22 (page 137 of link) provides an update of the workstream.
3. The team has been working hard to develop the evidence base to inform catchment plans and regional policy direction. Procuring the technical evidence is an important part of our workstream. This has included research focusing on catchment-specific as well as region-wide issues. Background information, research and technical reports can be found on our freshwater and catchment planning websites[9].

The NOF

4. An important function for each catchment plan is to implement the National Objectives Framework (NOF) process outlined in the National Policy Statement for Freshwater Management (NPS-FM) 2020.
5. The NOF requires the setting of environmental outcomes, freshwater values, and attribute states for 22 freshwater attributes for every river and lake in the region. In implementing the NOF, regional councils must define:
    - Baseline Attribute States (BAS) representing the environmental state of each attribute as of a particular point in time;
    - Target Attribute States (TAS) for each of the 22 attributes that are better than the National Bottom Line (NBL), and equivalent to, or better than, the BAS; and
    - Limits[10] and Action Plans[11] that must demonstrably achieve the TAS for each attribute.
6. TAS that require different levels of water quality improvements will require different levels of interventions to mitigate the effects of human activities on water quality, and their relative costs and benefits must be considered to support decision-making. TAS must be realistic and achievable, and linked to stated environmental outcomes, values and the overall vision for the environment.

[9] https://www.gdc.govt.nz/council/review-of-tairawhiti-resource-management-plan/regional-freshwater-plan-review And https://www.gdc.govt.nz/environment/our-rivers/catchment-plans

[10] Attributes set in NPS-FM Appendix 2A require the setting of "limits on resource use".

[11] Attributes set in NPS-FM Appendix 2B require Action Plans, which may include both regulatory and non-regulatory measures.

Developing scenarios to implement the NOF

7. The process of setting TAS and defining limits and actions to achieve them can be complex, both from a technical and an engagement point of view. One way for regional councils to do this is to evaluate a range of scenarios defined by:
    - various degrees of water quality improvements (e.g. maintain water quality, improve to NBL, improve over time to a better attribute state). In this case the type and level of interventions (and their costs) that must be implemented to achieve the TAS must be understood
    - various 'types' (e.g. stock exclusion, stormwater treatment) or implementation levels (e.g. voluntary, mandated) of interventions. In this situation, their costs and the water quality outcomes resulting from their implementation must also be understood.
8. The goal of creating scenarios is to provide insights into the costs and benefits associated with distinct management/mitigation scenarios. This lets us make informed and reasonable decisions around the setting of draft freshwater objectives (target attribute states), limits, methodologies, and timeframes, as mandated by the NOF.
9. Assessing scenarios can be technically challenging, particularly where more contentious issues require a more robust evidence base. It requires quantifying the cumulative effectiveness of a range of interventions or mitigation actions at the catchment or sub-catchment scale and their potential flow-on effects on water quality and ecological attributes.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Responding to water quality issues in Tairāwhiti

10. Where some councils may have undertaken more comprehensive technical work across all 22 NOF attributes, we have focused on three key areas that are the most relevant to our region's core freshwater issues:
    - effects of intensive landuse on the Turanga Flats
    - effects of sedimentation region-wide
    - effects of E. Coli region-wide.
11. This work will inform the development of all catchment plans (except Mōtū which has already been developed). There are currently two key research gaps relating to water quality.

Research Gap 1: How to set Realistic and Defensible Target Attribute States on the Turanga Flats

12. Throughout 2023 the team has collectively considered how to manage degrading water quality on the Turanga Flats. The Taruheru sub-catchment is of particular concern because of its prominent instream values as it passes through Gisborne city. There is a reasonable assumption that intensive landuse is a significant contributor to this problem but a clear link between this activity and what the monitoring data are showing has not been established.

13. The impact of intensive landuse on water quality is a significant issue for the Turanga Flats. If we are going to address the issue effectively, then we need the best available evidence to make a compelling case for change. If our proposed approach imposes limitations or new costs on landowners, then any evidence base and policy direction will likely be challenged through stakeholder engagement, formal submissions, and hearings.

14. Plant and Food Research have been engaged to evaluate mitigation scenarios for the Taruheru River sub-catchment and to explore the impacts and trade-offs of different land management practices and land use types on nutrient losses. The project will test the scenarios using a model called SPASMO (Soil, Plant, Atmosphere and System). The outputs of the model will be useful to understanding the broad effects of different mitigation scenarios on the receiving environment. The model, however, has limitations in terms of:
    - its ability to inform the development of Target Attribute States across a range of values including ecosystem health
    - dealing with the complexity of land use, soil and water interactions across the catchment
    - the quality and quantity of monitoring/survey data.

15. In this situation, additional technical expertise would help to assess the relationship between the nutrient losses and target attribute states and would provide a valuable link to the NOF process. Experts are also better placed to manage complexity and uncertainty when making their assessment. This expertise would strengthen the application of the model to the catchment context and create a solid platform for developing policy that responds more clearly and compellingly to the drivers of poor water quality.

Research Gap 2: How to Deal with Region-Wide Water Quality Issues

16. Besides nutrient issues on the Turanga Flats, two other key issues are sediment and E. coli. High sediment loading is a major problem across most of our waterways and has a massive impact on ecosystem health, including our macroinvertebrate communities. Faecal source tracking would suggest high E. coli levels are mostly driven by stock access to waterways within rural areas (although important to note some urban waterways are found to have human DNA in them).

17. The research focus for these regional issues is the same as that of managing nutrient losses on the Turanga Flats. How do we establish ambitious but achievable targets for sediment and E. coli? What are effective mitigations? What is an appropriate timeframe for undertaking them and what anticipated effects would they have on ecosystem health?

18. We also need to consider periphyton as well. Our monitoring record is short, having only recently begun to measure this compulsory attribute. Given the uncertainties this limited dataset poses, we would benefit from expertise to infer Target Attribute States from this limited dataset and also to consider the link with other attributes, particularly sediment.

Options for Addressing These Gaps

19. A range of methods, tools and approaches have been used by councils throughout the country to assess NOF-type scenarios, which can be broadly categorised as:
    - modelling
    - in-house expert assessment
    - expert panels.

20. These three are often used together. **Table 1** provides a summary to the three options.

Modelling

21. Catchment models can be useful to support the assessment of scenarios. They have an advantage of being able to integrate complex catchment-scale mitigations and produce an indication of the direction and magnitude of water quality outcomes.

22. However, catchment models can be really expensive, time-consuming to develop and run, and often have significant limitations, particularly with regards to assessing response times, quantifying ecological responses and low levels of trust communities may have in models due to their complexity and perceived opacity.

23. Large modelling processes (like Auckland's Freshwater Management Tool and Wellington's Ruamahanga modelling process) have proven costly, time-intensive and resource demanding. Their effectiveness also relies heavily on the quantity and quality of the input data, which is sometimes insufficient to support reliable outputs.

In-House Expertise

24. An alternative to using an Expert Panel and complex modelling processes is to use in-house scientists and staff to undertake individual assessments within their area of expertise. This approach can be cost-effective for scenario testing and allows for the inclusion of local insights/knowledge and expertise across a wide range of water quality and ecology subject areas.

25. By itself, this approach is unlikely to be sufficient because of internal capacity constraints. Because of this, there is unlikely to be the same defensibility of outcomes afforded to Council staff compared to an independent Expert Panel and panel process.

26. External experts can be brought in to provide or supplement internal assessments. This approach can be successfully used if there is sufficient coordination to ensure that individual pieces of assessment can link with each other. Again, internal capacity constraints would limit the effectiveness of this approach.

Expert Panel

27. A freshwater Expert Panel process involves conducting scenario assessments with a group of subject matter experts to better understand the effects of each scenario.

28. The recommendations from this process support informed decisions around setting water quality targets, timelines, and limits. The Expert Panel's output is a consensus evidence paper/report for each key scenario. The primary objective is to create an evidential basis to support policy development (including s32 analysis).

29. Expert panels tend to be more agile and can draw on and synthesise diverse information (including existing models). Expert assessments can be applied to a wider range of metrics/attributes, especially ecological indicators that are not currently well represented in models. Being composed of independent subject matter experts, expert panels can be perceived as more transparent and impartial than individual experts. They are also able to interact directly with consultation partners and stakeholders in a way that models cannot.

30. Regional councils have used expert panels for assessing:
    - freshwater quality and ecology (ECan, GWRC, West Coast and Bay of Plenty)
    - flows and allocation (Horizons and GWRC)
    - outstanding freshwater bodies (HBRC)
    - coastal water quality and ecology (GWRC)
    - review of the Overseer tool (Waikato Regional Council).

31. These evaluations have at times also included societal, cultural, and economic outcomes. Local knowledge is an important consideration in selecting expert panel members. Panels generally include council staff and other local expertise where appropriate.

Table 1: Summary of options to manage water quality issues

Options	Pros	Cons
Modelling	• Able to integrate complex catchment-scale mitigations.	• Can be very expensive and time consuming to run. • Can have significant limitations – dependent on quality of data. • Perceived opacity of process.
In-house expertise	• Cost-effective. • Allows for the inclusion of local insights/knowledge and expertise.	• Internal capacity constraints. • Unlikely to be the same defensibility of outcomes.
Expert Panel	• More agile. • Can combine local knowledge. • Can draw on and synthesise diverse information. • Can be applied to a wider range of metrics/attributes. • More transparent and impartial.	• Requires planning and coordination to establish panel and facilitate.

Preferred Option

32. Staff recommend establishing an Expert Panel to address the research gaps identified above. An Expert Panel will provide the following advantages:
    - Incorporating a range of data, including datasets that would not easily be used by models, such as very recent (e.g. fish eDNA) and limited (e.g. dissolved oxygen, periphyton) datasets.
    - Helping to understand both the type and level of interventions (and their costs) that must be implemented to achieve the target attribute states.
    - Provide insights into the costs and benefits associated with management/mitigation scenarios which can facilitate well-informed decision making to establish freshwater objectives, limits, methods and timeframes.
    - Using and linking existing regional and national models and assessment frameworks.
    - Incorporating both local and national expertise.
    - Working within tight timeframes.

Process

33. The overall programme of work would consist of the steps in the following table:

Table 2: Process of establishing the water quality Expert Panel following this Committee's approval

1. Develop the Expert Panel framework and process
• One of our TRMP suppliers (Traverse Environmental) is helping us form an approach to expert panelling. Together we are developing a draft framework and process that includes terms of reference, meeting schedule, chair etc. • Traverse would fill the role as technical facilitator in the Expert Panel process, provide technical meeting notes and reporting.
2. Selection of experts
• We expect our approach will be tested through the formal submissions and hearing process. Because of this we consider it important to select a panel that includes strong regional experience as well as nationally recognised expertise in freshwater science. • Procuring experts to provide a balance of local and national expertise: - Erosion and sediment processes - Freshwater ecosystems - Periphyton and Macroinvertebrates - Mātauranga Māori - Groundwater - Council expertise - Estuarine - E. Coli • We anticipate that some experts may be able to cover off more than one area of expertise and allow for a smaller membership. • Contracts will be entered into with each panel member, and payment for services will be on an "as-worked" basis (as per the panelist's hourly rate) and will include: - Attendance at workshops - Time spent on preparation and background reading - Time spent on undertaking individual pre-assessments - Reasonable administration time (such as communication, invoicing, organising travel, etc - Reimbursement of travel expenses, and food and accommodation where appropriate.

3. Develop the scenario assessment methodology

- The technical attributes the panel will assess is decided.
- The spatial units for which the panel will make their assessments are agreed upon.
- An assessment methodology is developed and finalised based on feedback from the panel.
- The process for contributing to a "science technical library" which the panel will work from is agreed upon by its members.

4. Develop an understanding of current state

- The panel is provided with Council's "science technical library", which will contain information on the state of the region's rivers and streams. Key sources of information will likely include:
  - Technical reports
  - National modelling outputs
  - Waipaoa catchment specific modelling data
  - Geospatial data on land-use, infrastructure, and riparian management.

5. Scenario assessments

- What the effects under each scenario will look like "on the ground" are defined.
- The likely changes in technical attributes under each scenario are assessed by each individual panel member based on the information in the science technical library and expert knowledge.
- Differing opinions are discussed, and consensus reached where possible.
- A final panel assessment is produced.

6. Reporting

- The final panel assessments are documented in a technical report.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation
Overall Process: **Low** Significance
This Report: **Low** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan
Overall Process: **Low** Significance
This Report: **Low** Significance

Inconsistency with Council's current strategy and policy
Overall Process: **Low** Significance
This Report: **Low** Significance

The effects on all or a large part of the Gisborne district
Overall Process: **High** Significance
This Report: **Low** Significance

The effects on individuals or specific communities
Overall Process: **High** Significance
This Report: **Low** Significance

The level or history of public interest in the matter or issue
Overall Process: **Medium** Significance
This Report: **Low** Significance

34. The decisions or matters in this report are considered to be of **High** significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

35. One way we have been engaging with tangata whenua and our communities is through the establishment of advisory groups for each catchment. An advisory group is composed of local people with experience from different sectors and interest groups: farming, conservation, forestry, horticulture and Māori landowners. Tangata whenua membership is central to these groups, in addition to other catchment-specific iwi and hapū engagement.

36. Mana whenua representatives and Māori landowners are involved in advisory groups set up for the Regional Freshwater Plan and Waipaoa Catchment Plan, where expert panelling has been raised as an option for dealing with water quality issues.

37. We also see an opportunity to apply a mātauranga Māori lens to the Expert Panel kaupapa which we would look to do as we establish panel membership.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

38. Ongoing engagement with Māori landowners, growers, the horticultural sector and our wider community and is fundamental to the development of the regional freshwater provisions and the seven catchment plans.

39. Staff will be socialising our approach and results with freshwater advisory groups and through separate hui as we progress this mahi.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

40. The climate change implications on our region have been previously reported in Report 23-22 (page 7 of link).

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

41. Resourcing for freshwater planning and the wider TRMP review is included as part of the operational budgets in the **2021 – 2031 Long Term Plan**.

42. The extension of the freshwater legislative timeframes to December 2027 may have financial implications on the overall allocation of the TRMP budget. The TRMP programme team are working together with the workstream leads in updating the project plan to ensure coordinated delivery in this first phase of the TRMP review.

Legal

43. There are no legal implications associated with the information in this report.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

44. Expert panels are ways to gather technical information to build an evidence base for a plan change proposal. The outputs of the expert panelling process will help Council to demonstrate how it proposes to give effect to the requirements of the NPS-FM 2020.

45. The use of an Expert Panel to respond to the two problems outlined above will support the development of well-considered Target Attribute States for each of our catchment plans. We anticipate the panel will also be able to explore reasonable actions to achieve those states and timeframes required to undertake them.

RISKS - NGĀ TŪRARU

Changing national direction

46. The review of the Regional Freshwater and Waipaoa Catchment Plans and the development of the other six catchment plans are currently being developed under the current NPS-FM 2020. The new government has already signalled its intent to replace the NPS-FM 2020. Work on this will start immediately and will be expected to take 18 to 24 months to complete. It will also include a robust and full consultation process with all stakeholders including iwi and the public[12]. At this stage, the scope and nature of the changes are unknown.

47. There is a risk that the new NPS-FM will introduce changes that are not aligned to the plans we develop under the existing framework. If this is the case, then our plans may need to be reworked to ensure consistency with legislation.

48. However, the fundamental need to address water quality and quantity issues will remain. How far and how fast these issues are addressed remains for Council to determine through decisions on policy options. It is unlikely that the new NPS-FM will fundamentally affect Council's choices in this regard.

49. At this time, we consider this issue to be a **low** risk. This risk is being mitigated by continuously monitoring the situation and updating our assessments as we receive more information.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
13 June 2024	Confirm approach for addressing identified gaps.	Governance approval to proceed.
July-November 2024	Undertake Expert Panel process.	Will be dependent on timing of procurement and availability of panel members.
First TRMP Committee meeting in 2025	Report back to TRMP Committee.	Provide update to this committee on progress of the expert panel.

[12] https://www.beehive.govt.nz/release/government-takes-first-steps-towards-pragmatic-and-sensible-freshwater-rules

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-181

Title:	**24-181 Proposed Plan Change 6 - Upper Mōtū Catchment Plan**
Section:	Sustainable Futures
Prepared by:	Janic Slupski - Principal Policy Advisor
Meeting Date:	Thursday 13 June 2024

Legal: No	Financial: No	Significance: **Low**

Report to TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to seek this Committee's endorsement of Proposed Plan Change 6 (PC6) – Upper Mōtū Catchment Plan to proceed to Council for approval to publicly notify at the 4 September 2024 Sustainable Tairāwhiti Committee meeting.

SUMMARY – HE WHAKARĀPOPOTOTANGA

PC6 is Gisborne District Council's (Council) first freshwater planning instrument developed under the National Policy Statement for Freshwater Management 2020 (NPS-FM). The NPS-FM provides direction on how local authorities should manage freshwater under the Resource Management Act 1991 (RMA). To date, Council has only given effect to an earlier version of the NPS-FM (2014) through the development of a Regional Freshwater Plan (which included the Waipaoa Catchment Plan), which was publicly notified in 2015.

The Upper Mōtū Catchment Plan covers the streams and rivers within the Tairāwhiti region that constitute the upper reaches of two catchment areas: the Waioeka – Otara catchment, and the Mōtū catchment (**Figure 3**). The Upper Mōtū River is considered an at-risk river given its problems with poor water quality in relation to E.coli, sediment, phosphate and aquatic ecosystem health. At some monitoring sites there are also degrading trends for other nutrient attributes. Land use intensification, in particular pastoral farming, and riverbank erosion have been identified as key contributors of sediment into the river. **Table 1** summarises the water quality issues identified.

The low river flows during summer are a main concern for the Upper Mōtū and Koranga rivers. Low flows, combined with the absence of riparian vegetation, negatively affect the ecosystem and aquatic health of the streams and mainstem rivers. Council only has 2 monitoring sites in the catchment plan area that monitors river flows – Mōtū River at Kotare station and Mōtū River at Alcuin station (**Table 2**).

The main outcome sought by PC6 is to improve the ecosystem health and water quality of the Mōtū River and its tributaries and to retain the high level of ecosystem health in the Koranga River and its tributaries. Three options have been identified in the Section 32 report:

- Option 1: Status quo
- Option 2: Proposed Plan Change 6 (**Preferred**)
- Option 3: More ambitious targets with more restrictive provisions

This report seeks this Committee's endorsement that the Proposed PC6 is approved to proceed for full Council approval to publicly notify at the 4 September 2024 meeting. Because the Proposed PC6 gives effect to the NPS-FM 2020, the Plan Change will be done through the Freshwater Planning Process (FPP). The FPP will streamline decisions on the Upper Mōtū Catchment Plan by:

- establishing independent freshwater hearings panels with enhanced hearings powers, made up of expert freshwater commissioners, Council and tangata whenua nominees.
- providing for submitter appeal rights to the Environment Court only under certain circumstances (refer to **Legal considerations - paragraphs 87 to 92** in this report).
- requiring Council to make final decisions within two years of public notification.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. **Endorses the Proposed Plan Change 6 – Upper Mōtū Catchment Plan for Council approval at the 4 September 2024 Sustainable Tairāwhiti Committee meeting.**

Authorised by:

Nicki Davies - Acting Director Sustainable Futures

Keywords: Proposed Plan Change 6, Upper Motu Catchment Plan, Public notification, Freshwater planning, Catchment planning

BACKGROUND – WHERE HAVE WE COME FROM?

Legislative Context - Planning for freshwater management

1. The NPS-FM provides direction on how local authorities should manage freshwater under the RMA. Requirements include:
   a. managing water in a way that gives effect to Te Mana o te Wai
   b. applying a National Objectives Framework (NOF) to help manage freshwater
   c. avoiding any further loss or degradation of wetlands and streams, mapping existing wetlands and encouraging their restoration
   d. addressing in-stream barriers to fish passage.
2. Councils were required to publicly notify their statutory freshwater planning instruments by the end of 2024[13]. Central government has since extended this deadline to the end of 2027.

Freshwater planning in Tairāwhiti

3. Freshwater Planning is one of three workstreams of the Tairāwhiti Resource Management Plan (TRMP) review programme that are currently underway. The freshwater planning framework is divided into two parts:
   a. a Regional Freshwater Plan containing provisions that apply to freshwater related activities that occur anywhere within the region.
   b. seven Catchment Plans that focus on managing freshwater quality and quantity issues that are specific to catchment areas. Those areas are:
      - Waipaoa
      - Mōtū
      - Hangaroa – Ruakituri
      - Waimatā – Pakarae
      - Uawa
      - Waiapu
      - Wharekahika - Waikura.
4. Figure 1 below provides a map of the seven catchments. Our catchment plans implement the requirements of the NOF. The NOF outlines a process that requires councils to:
   - identify Freshwater Management Units[14] (FMUs) in the region
   - identify values for each FMU
   - set environmental outcomes for each value
   - identify attributes[15] for each value
   - set target states for those attributes.
   - prepare action plans to achieve environmental outcomes where required.

[13] Under s80A of the Resource Management Act 1991
[14] All or any part of a water body or water bodies, and their related catchments, that a regional council determines is an appropriate unit for freshwater management and accounting purposes.
[15] Things we measure for a freshwater value, such as E. coli, suspended sediment, and nitrates.

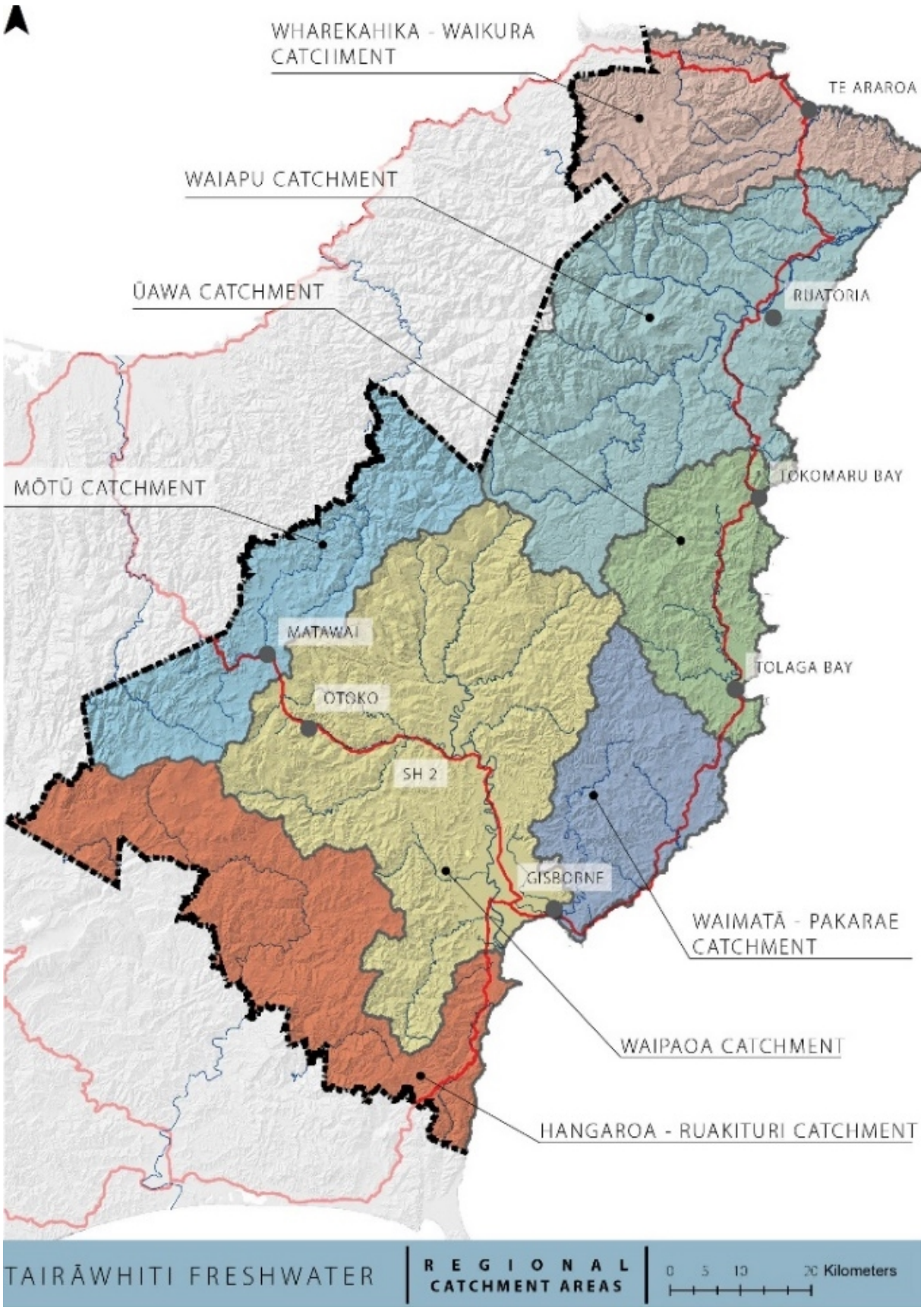
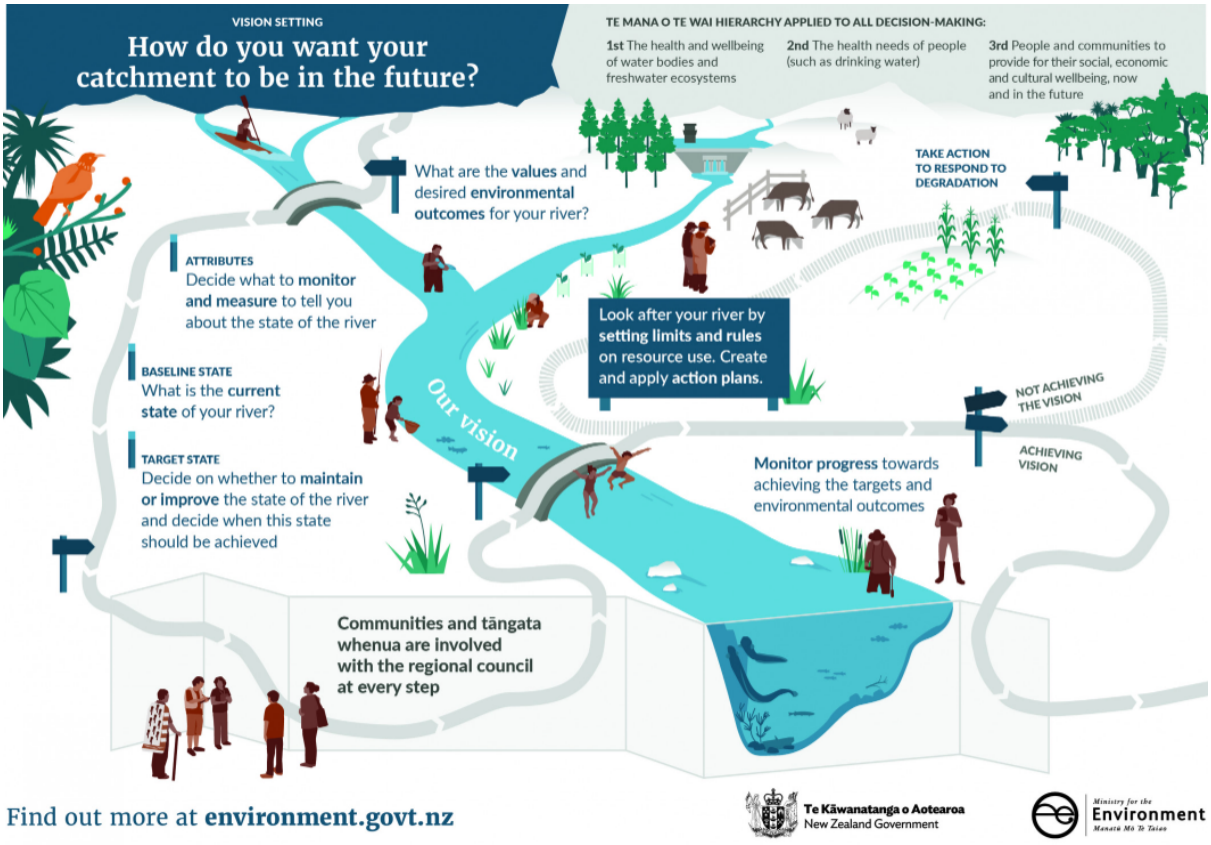


Figure 1: Figure 1: Freshwater planning catchments - Tairāwhiti

5. Figure 2 summarises the steps required to meet the NOF.

Figure 2: National Objectives Framework for the National Policy Statement 2020



6. To date, Council has given effect to an earlier version of the NPS-FM (2014) through the development of a Regional Freshwater Plan and Waipaoa Catchment Plan. These plans were publicly notified together in 2015[16]. The decision version of the Regional Freshwater Plan was merged with six other resource management documents to form the Tairāwhiti Resource Management Plan (TRMP) in 2017 (see **Report 16-182**).

7. The last appeal on the Regional Freshwater Plan was resolved on 29 June 2023, when the Supreme Court declined the application for leave to appeal. All 2015 provisions were made operative on 30 August 2023, following a report for Council resolution on 10 August (**Report 23-79**). The full details of the appeal process are outlined in the same report.

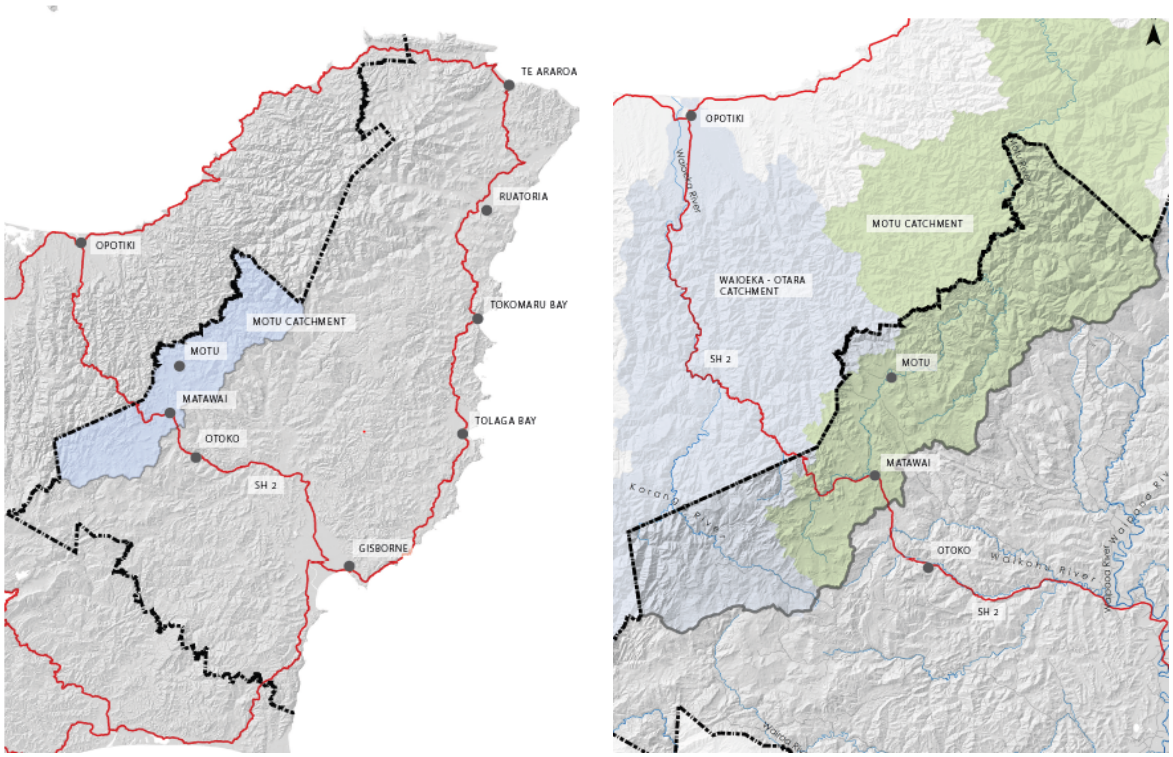
[16] Notified as a single document – The Proposed Gisborne Regional Freshwater Plan.

UPPER MŌTŪ CATCHMENT CONTEXT

Extent of catchment area

8. The Proposed PC6 covers the streams and rivers within the Tairāwhiti Region that constitute the upper reaches of two catchment areas that straddle the Tairāwhiti and Bay of Plenty regions:
    - the Waioeka – Otara Catchment
    - the Mōtū Catchment.

Figure 3: Location of Upper Mōtū Catchment Planning Area



9. The Upper Mōtū Catchment Plan includes two main waterways - the Mōtū River and the Koranga River. The area also includes the smaller catchments of the Opato Stream and Pakihi Stream. These catchments have a combined area of 886km^2.

Settlement Patterns

10. The Upper Mōtū Catchment Plan area is mainly used for farming, and in particular grazing. There are two small settlements (Mōtū and Mātāwai) also located within the catchment. These are the locations of a small number of service businesses.

11. Prior to European settlement, the area was vegetated in mature forest of rimu, matai, kahikatea, and tawa. The township of Mōtū was founded in 1887, after which the land was progressively cleared of bush to make way for homes and dairy farms.

12. The area hosted a high volume of millable timber on flat land, leading to the establishment of sawmills throughout the district in the 1900's that continued to operate until the 1930's when milling became less economic. The flat land and rolling hills were cleared first, with the steeper, remote areas only accessible with the advent of the bulldozer.
13. The dominant land use within the catchment now is sheep and beef farming with some deer farming also undertaken. There are two dairy farms in the catchment plan area and several other farms provide dairy support for dairy farms in the Bay of Plenty.
14. The beef farming that is present is sometimes intensive, especially on the terraces of the Upper Mōtū and Koranga rivers. Due to the proximity to the dairy farms of Whakatane and Opotiki Districts, dairy support is also undertaken in the catchment, with a farming system similar to the intensive beef activity.
15. The Upper Mōtū Catchment has been identified as one that is most likely to see potential interest in dairy farming, as it is one of the few areas in Gisborne District within the collection radius of a dairy factory – the two existing dairy farms represent 50% of the total dairy farms in the Gisborne District.
16. In terms of future land use, the extensive terrace system around the Upper Mōtū River represents a large area that could be considered desirable for conversion to dairy farming use.
17. Apart from farming, there are some small areas of commercial forestry, and significant areas within native bush. Most of the bush area and forestry falls within the area protected by the Mōtū Water Conservation Order – below the Mōtū Falls.

Figure 4: Mōtū River terraces, downstream of Matawai township

18. While parts of the mainstem Upper Mōtū River and the two regionally significant wetlands are fenced, most of the catchment is unfenced. Alongside unrestricted stock access, there are very substantial numbers of pest deer in the bush areas of the catchment.

19. The Upper Mōtū River is the most well-known of the nationally significant trout fisheries in the Gisborne District and there are some guiding and visitor accommodation services supporting this activity. Counter intuitively perhaps, it is the farming area of the Upper Mōtū above the falls where the excellent trout fishery is found – trout fishing is much less popular in the forested area below the falls.

20. The establishment of the Mōtū Trails cycleway has also brought more visitors to the catchment.

Environmental monitoring

21. Council has four sites in the catchment area where monthly State of the Environment (SOE) water quality monitoring is undertaken. This involves a monthly collection of water quality samples using a standard methodology.

22. These sites, plus five others in the catchment area, are also annual biomonitoring sites. Biomonitoring sites are visited annually in summer. A field assessment of the habitat quality, the amount of periphyton, types of algae and the number and types of macroinvertebrates (freshwater insects) are recorded.

23. In addition to the Council sites, there are five biomonitoring sites that are monitored as part of the Mōtū Catchment Project with two years of annual monitoring data for these sites.

Water quality issues in the Upper Mōtū catchment

24. The Upper Mōtū River is considered an at-risk river due to the combination of high natural values, ecological significance, and a high potential for degradation as a result of land use intensification.

25. Deforestation for pastoral landuse has led to erosion and loss of sediment into waterways. The catchment geology is naturally high in phosphate, which binds to sediment. As a result, the contribution of sediment to waterways also leads to high levels of dissolved reactive phosphorus (DRP).

Figure 5: Moananui Stream entering Koranga River following rainfall

26. Stock access to waterways on farmed areas has resulted in elevated levels of E.coli. Stock access and runoff from pastoral farms has also increased nitrogen levels above the background, although only to moderate levels. Combined with high DRP and absence of riparian vegetation cover, this has led to periphyton blooms, and in particular blooms of the sometimes-toxic alga Phormidium.

Figure 6: Stock access to Mōtū River, upstream of Matawai township

27. A summary of water quality issues is outlined in the table below.

Table 3: summary of water quality issues m

Sediment
• Deposited sediment is below the National Bottom Line at the Kotare Station Bridge and Mōtū Falls sites and at the Mātāwai Stream site with a deteriorating trend. • Suspended sediment (clarity) is below the National Bottom Line at all sites. • An assessment of the source of sediment identified that the channel banks are contributing 95% of the sediment within the channel and 96% of the flood sediment.
Phosphate
• Phosphate is below the National Bottom Line at Kotare Station Bridge with a deteriorating trend. • Phosphate has a deteriorating trend at Mātāwai Stream. • Phosphate generally adheres to sediment, and the Upper Mōtū Catchment Plan Area has naturally high rates of phosphate in its soils.
E. coli
• E.coli levels at all monitored sites are in the E band for swimming under the NOF. • Faecal source tracking shows that ruminants are the dominant source of faecal bacteria. Stock access to waterways and run off from paddocks is therefore the predominant source of the E.coli.
Aquatic Ecosystem Health
• The headwaters in the Matawai Conservation Area have among the best water quality and macroinvertebrate (freshwater insect) life in the Gisborne District. However, some of the water quality attributes deteriorate downstream and this ultimately affects the level of ecosystem health.
Nutrients
• Water quality trends indicate that phosphate levels are increasing and data has captured large spikes of ammonia, particularly in the lower reaches.

Water quantity issues in the Upper Mōtū catchment

28. The main concern for the Upper Mōtū and Koranga Rivers is the low flows during summer which affect the ecosystem and aquatic health of the streams and mainstem rivers. The low flows, combined with the absence of riparian vegetation, contributes negatively to ecosystem health and can result in periphyton blooms.

29. Analysis of the flow records for the catchment indicates that there has been a small but statistically significant reduction in flows in the Upper Mōtū River over the last 30 years. As there are no significant water takes, this is mainly attributed to changing rainfall patterns and climate change.

30. Water taken and used from the Koranga and Upper Mōtū Rivers and their tributaries by households and for stock water is a permitted activity and thus no resource consent is required. It is unclear what effects these existing takes are having on the flow of streams and rivers, particularly during periods of low flow over the summer period.

31. There are two continuous flow records in the catchment – the NIWA site at Waitangirua Station, and the Council site at Kotare Station – both on the mainstem Upper Mōtū River. The NIWA recorder has been operating since 1987 and the GDC recorder since 2016, with monthly flow gaugings undertaken for the ten years prior to that.

32. The long flow record at Waitangirua indicates that there is an average of 12.6 flushing events per year.

33. Council does not have flow data for any other waterway within the catchment plan area.

Table 4: The flow summary statistics for the period 2007-2016 for the two sites

Flow summary statistics (m^3/s) for Mōtū River at Kotare station (2007-2016)					
Mean	**Median**	**7d-MALF**	**Upper Quartile**	**Lower Quartile**	**95%**
1.36	0.94	0.5	1.537	0.542	3.5
Flow summary statistics (m^3/s) for Mōtū River at Alcuin station (2007-2016)					
Mean	**Median**	**7d-MALF**	**Upper Quartile**	**Lower Quartile**	**95%**
NA	NA	0.7	NA	NA	NA

DEVELOPMENT OF THE UPPER MŌTŪ CATCHMENT PLAN

34. The Upper Mōtū Catchment Plan is the first catchment plan to be developed under the NPS-FM 2020. Staff gained approval to proceed in July 2020 (**Report 20-58**).

35. Four approaches to engagement were originally proposed:
    - catchment advisory group
    - iwi engagement
    - public consultation
    - Institutional / organisation stakeholders

Catchment Advisory Group

36. The content of the Upper Mōtū Catchment Plan was developed with the assistance of a Mōtū Catchment Advisory Group. The Advisory Group was made up of seven members representing mana whenua, trout fishing interests, local community members and a local ward Councillor.

37. Eight meetings with the group were held over the course of 2020-2022 - a longer time period than initially planned due to Covid disruptions. Meetings broadly followed the National Objectives Framework process and were central to the development of the draft catchment plan.

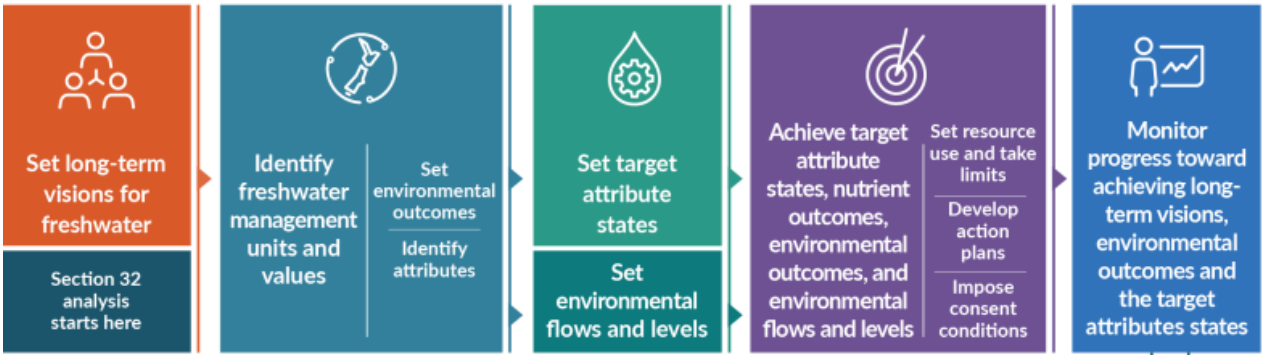


Figure 6: Overview of the National Objectives Framework

(Figure taken from the Ministry for the Environment website: https://environment.govt.nz/publications/guidance-on-the-national-objectives-framework-of-the-nps-fm/the-nof-within-the-nps-fm/

Iwi engagement

38. The Upper Mōtū Catchment falls on the edge of the rohe of five iwi (Te Aitanga a Mahaki, Te Whanau a Kai, Ngā Ariki Kaiputahi, Whakatohea and Te Whanau a Apanui), however it was not an area of main habitation, but rather a landscape that was travelled through.

39. The affected iwi were invited to participate in the development of the Upper Mōtū Catchment Plan. Due to capacity issues, and other priorities (particularly Treaty Settlement processes) only Te Aitanga a Mahaki indicated a desire for involvement in development of the catchment plan. Te Aitanga a Mahaki recognised that Mātāwai Marae members are ahi kaa and mana whenua for the area, and that their views were an important part of the process. Te Aitanga a Mahaki held hui with its hapū about the catchment plan and brought their views to the Stakeholder Advisory Group.

40. Both Te Aitanga a Mahaki and Mātāwai Marae had representatives on the Catchment Advisory Group. Pene Brown, Chair of Te Aitanga a Mahaki, was also the Chair of the group.

Community consultation

41. Four community meetings were held at various points in the process – the start, during development of the catchment plan and upon completing the first draft of the catchment plan. A summary of meetings is as follows:

Table 3: Topics covered at each community meeting

Meeting	Matters covered
Meeting 1 – 15 October 2020	• Overview of catchment planning process • Catchment vision and values
Meeting 2 – 14 April 2021	• Introduce advisory group members • Outline of progress in catchment planning process • Outline of environmental outcomes
Meeting 3 – 13 July 2022	• Outline of process • Discuss draft plan
Meeting 4 – 19 October 2022	• Community feedback on draft plan

Organisational Stakeholders

42. Early in the process, a questionnaire was circulated to various organisations to help understand their perspectives on the Upper Mōtū Catchment Plan area. The following organisations have responded:
    - Gisborne Canoe and Tramping Club
    - Forest and Bird – National Office
    - NZ Landcare Trust
    - QEII National Trust
    - Eastern Whio Link
    - Federated Farmers of New Zealand
    - Fish and Game – Eastern Region.

Cross-boundary issues

43. The Upper Mōtū Catchment Plan area is unusual in that the headwater areas of the catchments covered by the Plan are found in the Gisborne District, but all of these waterbodies flow into the Bay of Plenty Region.

44. Several meetings with Bay of Plenty Regional Council (BoPRC) staff were held during the development of the catchment plan and they also provided feedback on the draft Plan.

45. During this Plan's development process, BoPRC has yet to complete the NPSFM planning for the catchment areas that fall within the BOP Region – however it has identified that they will be part of two management areas – the Waioeka Catchment (into which the Koranga, Pakiri and Opato Streams flow) and the East Coast Catchment (which includes the lower Mōtū River but also all of the waterways draining into the region east of Opotiki).

Timing of Upper Mōtū Catchment Plan development

46. Development and notification of the Upper Mōtū Catchment Plan has been delayed by several factors. COVID-19 limited our ability to meet in person with the Catchment Advisory Group members. While Zoom/Teams meetings did provide an alternative communications tool, we found this approach less effective.

47. Our team completed most of the draft catchment plan by the end of 2022. Cyclones Hale and Gabrielle in January and February 2023 created another significant delay. Staff time has since been diverted across cyclone response, a new plan change process relating to plantation forestry, and other parts of the freshwater programme. Despite competing priorities, we are mindful of time and the need to progress this work.

PROPOSED CHANGES IN PLAN CHANGE 6

48. The main outcome sought by PC6 is to improve the ecosystem health and water quality of the Mōtū River and its tributaries and to retain the high level of ecosystem health in the Koranga River and its tributaries. Proposed PC6 is provided in **Attachment 1.**

49. PC6 proposes a catchment-specific change to the TRMP prepared under the RMA. The proposed changes include the addition of new material, which are:
    - A map showing the catchment plan area and the extent of the two Freshwater Management Units (FMU) within it;
    - Six objectives being added to the RPS in Part B that relate to the Upper Mōtū catchment;
    - Advice notes added to Part C6 directing readers to the catchment-specific policies and rules in Part D;
    - Freshwater environmental outcomes, objectives, water quality limits, water quality targets, environmental flows and allocation limits for the Upper Mōtū catchment;
    - Policies and Rules primarily associated with activities to improve the quality of the freshwater environment in Part D. In some instances, these policies and rules replace general provisions in the TRMP with catchment-specific policies that only apply in the Upper Mōtū Catchment Plan area;
    - An Action Plan that outlines non-regulatory actions to be undertaken over the next 10 years that support the policies in rules in order to achieve the RPS objectives and environmental outcomes in the catchment plan.

50. Two Freshwater Management Units (FMUs) have been identified to reflect the two prominent landscapes in the catchment area:
    - **Farmlands and Settlements FMU** (**Figure 8**) – Reflects the settled and farmed areas within the catchment.
    - **Te Wai o Ngahere FMU** (**Figure 9**) – Largely conservation estate, this area has a high degree of naturalness, and has significant ecosystem health and biodiversity values.

51. The FMUs provide the spatial context for setting environmental outcomes[17], targets[18] for the attributes we measure and limits[19] on resource use.

[17] Describes the outcomes sought for freshwater values identified within each FMU.
[18] Where we want the state of each attribute (e.g. nitrate) to be in the future.

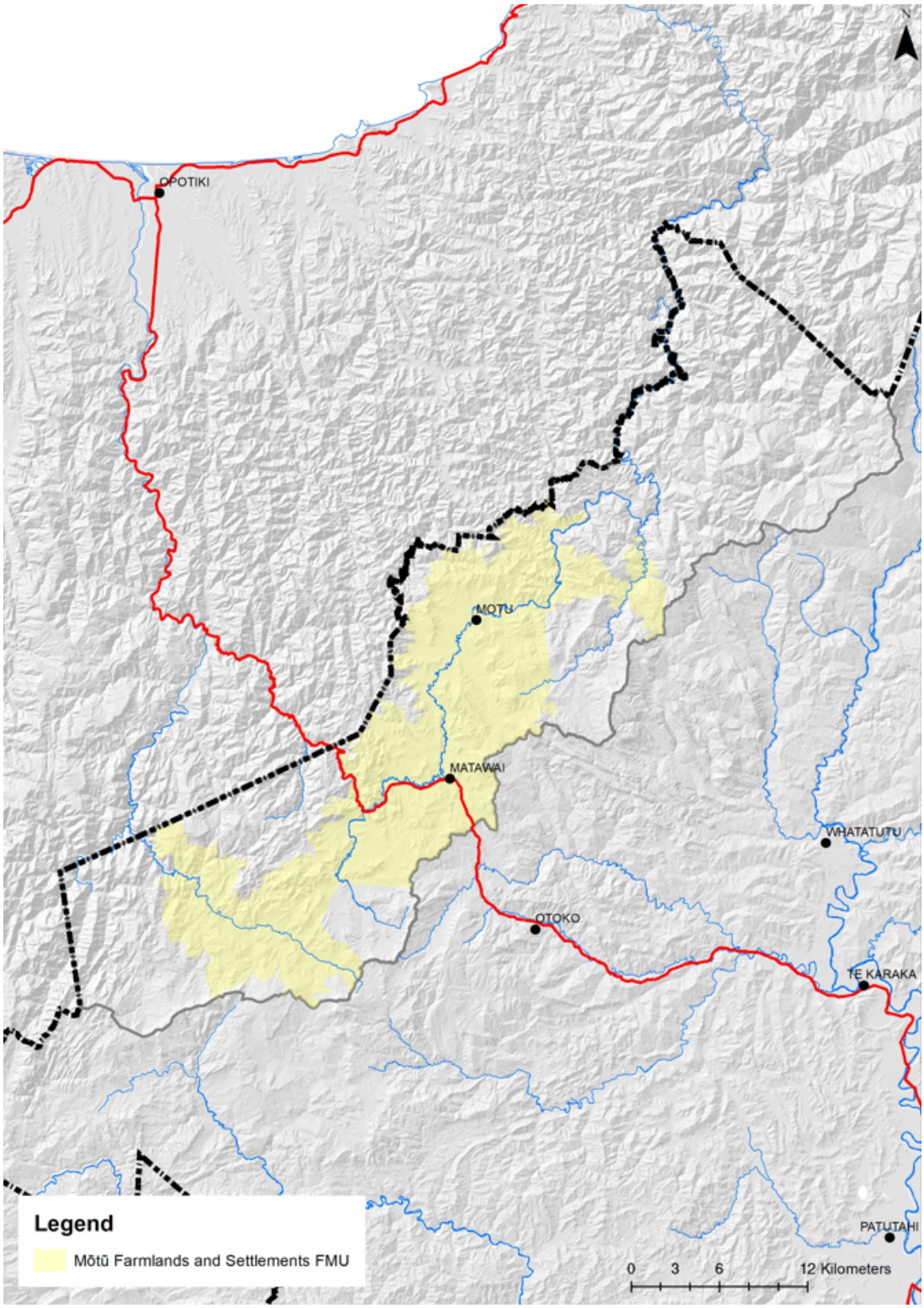


Figure 7: Upper Mōtū Catchment – Farmlands and Settlements FMU (areas in yellow).

[19] Limits can be land-use controls (such as controlling the extent of an activity), input controls (such as the amount of fertiliser that can be applied) or output control (such as a volume or rate of discharge). Regional councils must, as a minimum, set instream concentrations and exceedance criteria for nitrogen and phosphorus.

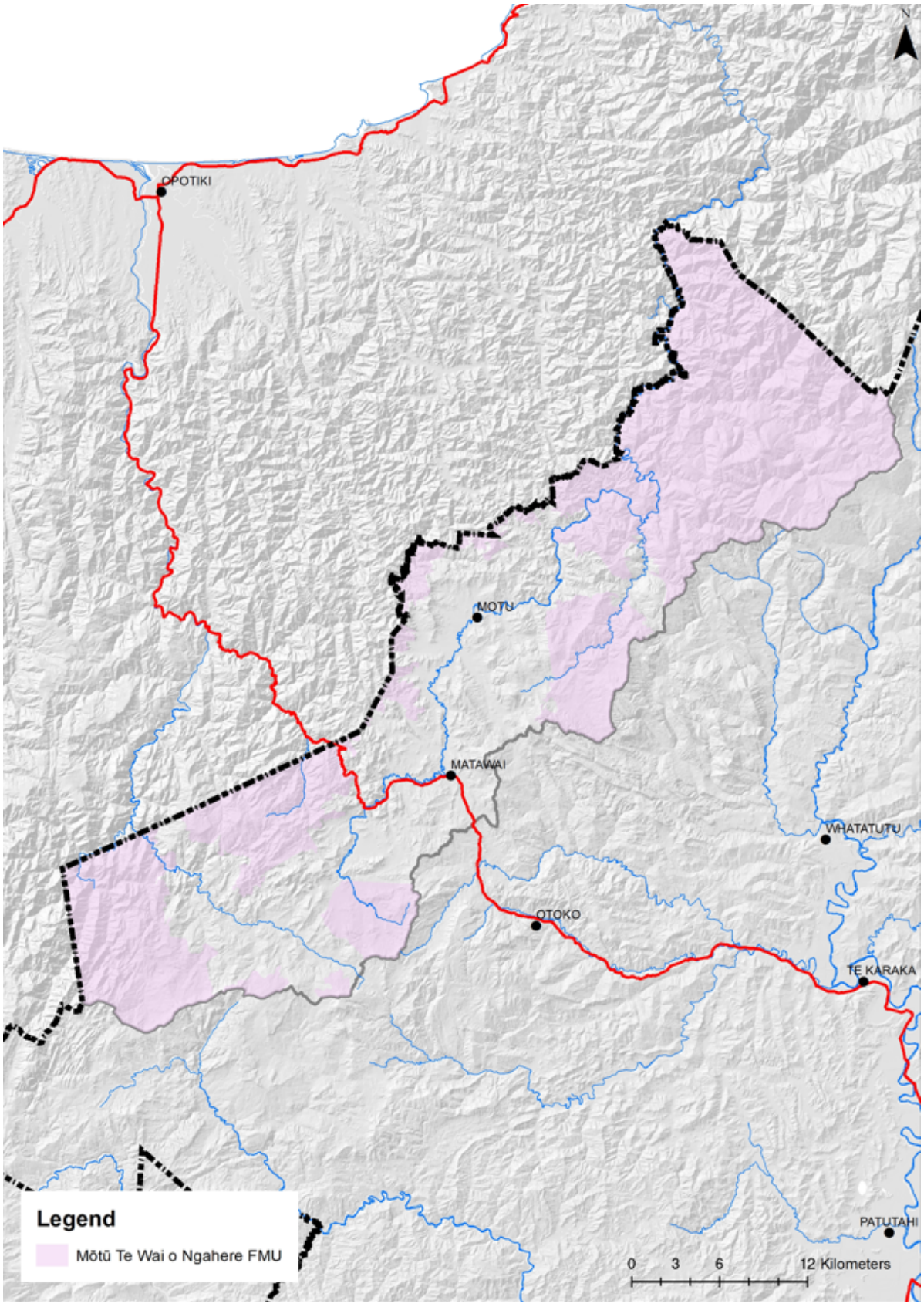


Figure 8: Upper Mōtū Catchment – Te Wai o Ngahere FMU (areas in pink).

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

52. Section 32[20] of the RMA 1991 requires an Evaluation Report that examines whether the proposal is the most appropriate way to achieve the Act's purpose. The following is a summary of options considered within the evaluation report (see **Attachment 2** for the full Section 32 report).

53. Evaluations were done for:
    - Objectives and Target Attribute States
    - Water Quantity Provisions
    - Point Source Discharge Provisions
    - Nutrient Management Provisions
    - Stock Exclusion Provisions
    - Riverbed Activity Provisions
    - Wetland Provisions.

Option 1: Status Quo

54. This option keeps many of the existing freshwater provisions, such as applying regional freshwater objectives as catchment-level objectives, activities in riverbed and wetland provisions.

55. Where there are no catchment-specific limits, such as guidance for water takes, policies and rules are provided if no additional methods were considered necessary. Policy guidance for point source discharges is provided if no additional methods were considered necessary.

56. Existing provisions in the NES-FW 2020 are used as nutrient management provisions, in particular synthetic nitrogen fertiliser and farming intensification. Existing provisions in the Stock Exclusion Regulations 2020 are used to reduce impact of damage to waterways from livestock.

57. Target attribute states in this option are set to only seek minimum improvement in water quality for attributes that are below the National Bottom Line[21] (NBL).

Option 2: Proposed Plan Change 6

58. Option 2 proposes objectives, policies, and rules drafted specific to the Mōtū Catchment Plan area. The objectives set in this option reflect environmental outcomes sought for the two FMUs and meet the requirements of the NPS-FM 2020.

59. Existing permitted activity standards for domestic and stock drinking water supplies, and nutrient management standards in the current TRMP are kept in this option.

---

[20] Section 32(1)(b) requires that the proposed provisions (policies, rules and associated tables and appendices) in PC6 are the most appropriate way of achieving the TRMP objectives by assessing their efficiency and effectiveness. Other reasonably practicable options must also be identified, but does not requires those options to be subject to an evaluation of their effectiveness or efficiency.

[21] These are the minimum acceptable physical states for attributes (freshwater indicators) such as nitrate and dissolved oxygen. The NBL are identified in Appendix 2A of the NPS-FM 2020, or alternatively there is a factsheet by the Ministry of the Environment explaining what the attributes are and why it's important to manage them: Action for healthy waterways: Information about attributes in the NPS for Freshwater Management (environment.govt.nz)

60. This option defines specific allocation limits for consented activities, which would apply to irrigation and other large takes that do not meet the permitted activity standards. Additional policy guidance are introduced for discharges of contaminants of concern – *E.coli*, sediment and nutrients – and how these should be managed through the resource consent process.

61. Option 2 proposes a resource consent review for the quarry discharges to ensure that discharge limits do not result in further degradation of water quality.

62. Similar to Opton 1, existing provisions in the NES-FW 2020 and Stock Exclusion Regulations 2020 are kept in this option.

63. Temporary NES-FW standards are made permanent through rules for:
    - Dairy conversions,
    - Dairy support,
    - Irrigation,
    - New winter intensive grazing,
    - And more, which are tailored to the issues in the Mōtū Catchment.

64. The target numeric attribute stated for NOF attributes reflect the balance of community values and priorities within each FMU.

65. Under the NPS-FM 2020, Council must take action where freshwater is found degraded. This option proposes a draft Action Plan that identified attributes below the NBL and practical approach to address these issues.

Option 3: More ambitious targets with more restrictive provisions

66. Option 3 takes a more stringent approach to the provisions proposed in Option 2. This includes:
    - A shorter timeframe to achieve Option 2's target numeric attributes.
    - More restrictive permitted activity standards for taking stock water (plus allocation limits under Option 2) for consented activities.
    - For contaminants of concern, specific additional stock exclusion requirements.
    - Nutrient management provisions in Option 2, plus limits for maximum nutrient losses from farms, requirements for septic tank upgrades, and review of resource consents for nutrient discharges.
    - Wider stock exclusion coverage than existing standards, with wider setbacks from wetlands.

67. Policies and rules are set to avoid activities that contribute to riverbank erosion and enable activities that are beneficial to rivers. Policy directions include prohibiting or discouraging damming of rivers, and further restriction of riverbed extraction activities.

68. The Action Plan in this option follows those in Option 2, except with tighter standards and shorter timeframes to achieve the ambitious targets.

Summary of options

Water quantity			
Option 1: Status quo	Benefits		None identified.
	Costs		Using TRMP default 7-day MALF as the minimum flow would affect instream values if there were significant water takes. This flow approach would also likely have impacts on the Water Conservation Order area hydrology.
Option 2: PC 6 (preferred)	Benefits		Better protection of instream values Maintain opportunities for cultural practices such as mahinga kai. Still allows for domestic and small community takes as permitted activities. Larger community supplies are given some priority by being able to take below the minimum flow. Supports fishing tourism, rafting and other recreation within a river system still highly regarded for its natural values.
	Costs		Still some potential for adverse effects at low flows from stock and domestic water takes. New water takes such as irrigation and dairy shed water would require on site storage.
Option 3: More restrictive	Benefits		None identified.
	Costs		Requiring stricter consent requirements for stockwater would undermine efforts to promote reticulation and stock exclusion – environmental outcomes would not be achieved.

Point Source Discharges			
Option 1: Status quo	Benefits		None identified.
	Costs		The TRMP policy does not consider the specific contaminants of concern in the Upper Mōtū Catchment.
Option 2: PC 6 (preferred)	Benefits		Supports catchment-specific mitigations for point source discharges which address the specific water quality issues in the catchment.
	Costs		There may be some cost for review of the two existing resource consents for local quarry – may be additional costs for treatment.
Option 3: More restrictive	Benefits		None identified.
	Costs		No identified improved environmental benefit from having more restrictive rules.

Nutrient Management			
Option 1: Status quo	Benefits		None identified
	Costs		Existing provisions in the TRMP are considered to be insufficient to prevent water quality decline if further intensification is proposed as the TRMP does not restrict intensification. NES-FW fertiliser provisions are based on dairy farm requirements and are not sufficient to address excessive fertiliser use in the drystock sector.
Option 2: PC 6 (preferred)	Benefits		Stock exclusion will help mitigate nutrient related water quality issues. Riparian planting gives a wide range of co-benefits. Provisions targeted at the activities that are most likely to generate excessive nutrient losses. The requirement to meet permitted activity standards immediately will mean that water quality should not degrade further. Increased opportunities for cultural practices such as mahinga kai. Improved amenity and landscape values of waterways. Amenity and recreational benefits. No additional regulatory costs.
	Costs		There will be a transitional period where poor water quality may persist as the proposed provisions are implemented. Potential to restrict economic growth and in particular further that resulting from intensification of land uses.
Option 3: More restrictive	Benefits		None identified.
	Costs		Additional and more restrictive nutrient management standards will increase the financial and administrative burden on farmers and the wider community.

Stock exclusion			
Option 1: Status quo	Benefits		None identified.
	Costs		Existing provisions in the TRMP are considered to be insufficient to prevent water quality decline if further intensification is proposed.
Option 2: PC 6 (preferred)	Benefits		Exclusion from water bodies will help mitigate water quality issues that are increasing in significance. Riparian planting gives a wide range of co-benefits. The requirement to meet stock exclusion standards immediately will mean that water quality should not degrade further in those situations. Increased opportunities for cultural practices such as mahinga kai. Improved amenity and landscape values of waterways. Amenity and recreational benefits. No additional regulatory costs.
	Costs		There will be a transitional period where poor water quality may persist as the proposed provisions are implemented. Potential to restrict economic growth and in particular further that resulting from intensification of land uses.
Option 3: More restrictive	Benefits		None identified.
	Costs		Additional and more restrictive stock exclusion standards would increase the financial and administrative burden on farmers and the wider community.

Riverbed Activities			
Option 1: Status quo	Benefits		None identified.
	Costs		Existing TRMP provisions do not address disturbance of the bed of the Upper Mōtū River.
Option 2: PC 6 (preferred)	Benefits		Avoids further riverbed activities that may de-stabilise riverbanks and adversely affect aquatic ecology. Increased opportunities for cultural practices such as mahinga kai. Improved amenity and landscape values if a more natural river morphology is maintained.
	Costs		Sediment pollution may persist in some areas as riverbank erosion continues. Increased stress on landowners as a result of increased regulatory requirements and the associated costs. The 3 farms unable to source gravel for their farm from the Upper Mōtū River will need to find alternative sources.
Option 3: More restrictive	Benefits		Avoids activities that contribute to riverbank erosion and enables activities that are beneficial.
	Costs		No identified improved environmental benefit from having more restrictive rules.

Wetlands			
Option 1: Status quo	Benefits		None identified.
	Costs		None identified.
Option 2: PC 6 (preferred)	Benefits		Non-regulatory methods will facilitate more wetland restoration projects and more appropriate wetland management. Increased opportunities for cultural practices such as mahinga kai. Improved amenity and landscape values of waterways. Amenity and recreational benefits. No additional regulatory costs.
	Costs		There will be a transitional period where poor water quality may persist as the proposed provisions are implemented. Potential to restrict economic growth resulting from intensification of land uses.
Option 3: More restrictive	Benefits		None identified.
	Costs		Additional or more restrictive wetland standards will increase the financial and administrative burden on farmers and the wider community. This is especially the case where the full extent of wetlands is only partially understood.

Recommendation

69. Based on the evaluation of the available options, Option 2 has demonstrated to be the most appropriate way to address the issues in the Mōtū Catchment.

70. Provisions in the Proposed PC6 are updated in accordance with current best practice and put in place an appropriate framework for management. This will achieve the environmental outcomes sought by the community and required through the NPS-FM 2020.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation
Overall Process: **Low** Significance
This Report: **Low** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan
Overall Process: **Low** Significance
This Report: **Low** Significance

Inconsistency with Council's current strategy and policy
Overall Process: **Low** Significance
This Report: **Low** Significance

The effects on all or a large part of the Gisborne district
Overall Process: **Medium** Significance
This Report: **Low** Significance

The effects on individuals or specific communities
Overall Process: **High** Significance
This Report: **Low** Significance

The level or history of public interest in the matter or issue
Overall Process: **High** Significance
This Report: **Medium** Significance

71. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

72. The Upper Mōtū Catchment falls on the edge of the rohe of five iwi – Te Aitanga a Māhaki, Te Whānau a Kai, Ngā Ariki Kaiputahi, Whakatohea and Te Whānau a Apanui.

73. The affected iwi were invited to participate in the development of the Mōtū Catchment Plan. Due to capacity issues and other priorities (particularly Treaty Settlement process) at the time, only Te Aitanga a Māhaki indicated a desire for involvement in the development process.

74. The Catchment Advisory Group included two representatives from Te Aitanga a Māhaki – Pene Brown and Jo Barbarich. They held hui with their iwi and hapū about the catchment plan, and then bringing the collective view to the Advisory Group during the meetings. This ensured tangata whenua interests were represented in the catchment planning process.

75. Council met with Bay of Plenty Regional Council (BOPRC) counterparts on five occasions to discuss iwi engagement and policy alignment.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

76. Four community hui were held at Mātāwai to communicate the work underway and to provide opportunities for questions and input into the catchment planning process. Each hui were held at different stages of the development process.

77. Industry and sector groups were sent questionnaires seeking their input on freshwater values and to describe the aspects of the catchment most important to them. Council received seven out of 22 questionnaires sent, which were used to inform the Upper Mōtū Catchment Plan.

78. The Mōtū Catchment Advisory Group was formed at the end of 2020, comprised of seven people with strong ties to the catchment. Members met over a period of eight hui to act as a conduit of information to the wider community.

79. Council developed a webpage for the Mōtū Catchment as a platform for the public to access key information on the Plan and its development process. This includes basic information of the seven members of the Advisory Group, agenda and meeting minutes.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

80. The main concern for the Upper Mōtū and Koranga Rivers is the low flows during summer. The low flows, combined with the absence of riparian vegetation, contributes negatively to ecosystem health and results in periphyton blooms.

81. Analysis of the flow records for the catchment indicated that there has been a small but statistically significant reduction in flows in the Upper Mōtū River over the last 30 years. As there are no significant water takes in this river, the low flow has been attributed to changing rainfall patterns as a result of climate change.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

82. Resourcing for the Upper Mōtū catchment planning was included as part of the operational budgets in the **2021-2031 Long Term Plan**.

83. Non-regulatory projects introduced through the PC6 Upper Mōtū Catchment Plan include for example, supporting a catchment group to work with landowners in restoring priority wetlands within the catchment. Once the PC6 has legal effect, Council staff expect that the implementation of the non-regulatory projects in the action plan will require further resourcing through subsequent Long Term Plans.

Legal

84. Freshwater planning instruments have a different and streamlined notification and hearing process under the RMA. This process is overseen by the Chief Freshwater Commissioner (the Chief) who will ensure the timely delivery of freshwater hearings.

85. Following the standard submission process under Schedule 1 of the RMA, Council provides the Chief with nominations to the Freshwater Hearings Panel and notice to expect documentation. Council then submits the proposed PC6 and supporting documentation to the Chief. A Hearings Panel will convene to conduct a hearing.

86. After the Hearing, the Hearings Panel provides written recommendations to Council. Council can either accept or reject the recommendations and must publicly notify its decision.

87. Avenues for appeal are limited. If Council accepts a recommendation, then appeals can only be made to High Court on points of law. This is a more streamlined pathway compared to the standard plan-making process and can avoid costly litigative work associated with the appeals process.

88. If Council rejects a recommendation, then Council must decide on an alternative solution and provide a further evaluation report. Appeals on merit can then be made to the Environmental Court by the people whose submissions covered that particular matter.

89. Council will only have two years from date of public notification to make final decisions on the Upper Mōtū Catchment Plan.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

90. The development and notification of the Upper Mōtū Catchment Plan gives effect to the requirements of the NPS-FM 2020. PC6 will form part of the TRMP, helping Council and the catchment's community to make informed decisions around freshwater management and support the improvement of water quality across our rohe.

91. On 23 May 2024, the Resource Management (Freshwater and Other Matters) Amendment Bill was introduced to Parliament[22]. The Bill proposes to:

    a. exclude the hierarchy of obligations in the NPS-FM from resource consenting.

    b. repeal the low slope map and associated requirements from stock exclusion regulations.

    c. repeal the permitted and restricted discretionary activity regulations and associated conditions for intensive winter grazing from the National Environmental Standards for Freshwater (NES-F).

    d. align the provisions for coal mining with other mineral extraction activities under the National Policy Statement for Indigenous Biodiversity (NPS-IB), NPS-FM and NES-F.

[22] First RMA amendment Bill introduced to Parliament | Beehive.govt.nz

e. suspend for three years the requirements under the NPS-IB for councils to identify new Significant Natural Areas (SNAs) and include them in district plans. The Bill also extends some SNA implementation timeframes to 31 December 2030.

f. speed up and simplify the process for preparing and amending national direction, including national environmental standards, national planning standards, national policy statements and the New Zealand Coastal Policy Statement.

92. Council staff reviewed the proposed changes and found no major risks to the content or the plan change approach for the Upper Mōtū Catchment Plan.

RISKS - NGĀ TŪRARU

93. Council staff have considered that sufficient information has been gathered to justify proceeding with PC6. The risk of action on this information is less than not acting.

94. The risk of not acting to set catchment objectives and target attribute states is that the water quality and ecosystem health of the waterways in the catchment will continue to degrade.

95. There is a particular risk that the Upper Mōtū River will shortly reach a tipping point of degradation, which will become very difficult – and costly – for Council to improve water quality.

96. Under Section 67(3) of the RMA, PC6 must give effect to any national policy statement, of which NPS-FM 2020 is of most relevance to this Plan Change. The NPS-FM 2020 has made it clear that even where information is uncertain, the Council must not delay making decisions and must give effect to the NPS-FM 2020.

97. The risk of not acting will therefore be detrimental to both the state of the Upper Mōtū Catchment and Council reputation, in addition to the possibility that Council may face legal action for not acting.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
4 September 2024	Seeking full Council approval for public notification of Plan Change 6 – Proposed Upper Mōtū Catchment Plan	

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 Proposed Plan Change 6 to the Tairāwhiti Resource Management Plan [**24-181.1** - 60 pages]
2. Attachment 2 Plan Change 6 Upper Motu Catchment Plan s 32 [**24-181.2** - 89 pages]

Proposed Plan Change 6 to the Tairāwhiti Resource Management Plan – Upper Mōtu Catchment Plan

FINAL DRAFT: May 2024
(NPS-FM)

Table of Contents

1. Introduction

1.1 Scope of this Plan Change

This Plan Change proposes changes to the part Operative Tairāwhiti Resource Management Plan (TRMP) in order to implement the National Policy Statement for Freshwater Management 2020 (NPS – FW) in relation to the Upper Mōtū Catchment, in accordance with Regional Policy Statement Strategic Policy B6.2.2.4 and Regional Policy Statement Catchment Plan Policies B6.2.4.1 – B6.2.4.13 of that Plan.

Changes are proposed to:

- Section B6 Freshwater of the Regional Policy Statement part of the TRMP to include the Long Term Vision for the Upper Mōtū Catchment as RPS Objectives.
- Section C6 Freshwater to include cross references to the Upper Mōtū Catchment Plan.
- Part D: LAND Based Provisions to include the Upper Mōtū Catchment Plan.

The Plan Change addresses water quality and quantity issues for the Upper Mōtū catchment and introduces provisions specific to the catchment. Two new Freshwater Management Units (the Farmlands and Settlements FMU and Te Wai o Ngāhere FMU) are introduced to the maps.

1.2 How to read this document

In reading this plan change, the following should be noted: Any reference to 'the Plan' in this document is a reference to the TRMP. This document shows only those provisions that are proposed to be amended, relocated or new provisions proposed to be inserted, as part of Plan Change 6. Proposed insertions are underlined. Proposed deletions are shown in strikethrough. Headings to be inserted are preceded by the phrase ('Insert Heading') and are not underlined. Where text has been included for the purposes of context, this is shown without underline or strikethrough font. This text does not form part of Plan Change 6.

B6.2.1 Objectives

Mōtū Catchment Long-Term Vision

13. Within 50 years the mauri of freshwater is protected and enhanced for the full extent of the Upper Mōtū Catchment Plan area within Te Tairāwhiti.

    The Upper Mōtū Catchment Plan area rivers and tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.

    The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.

    The productive landscape of the Farmlands and Settlements FMU continues to support the productive and economic wellbeing of the Mōtū and Matawai communities provided that it does not compromise the health and wellbeing of waterbodies. Sediment and E.coli no longer make their way into the waterways.

    Sediment inputs are reduced across the Upper Mōtū and Upper Koranga river catchments and riverbank erosion is substantially reduced. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom lines unless prevented by naturally occurring processes and there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.

    The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

C6.1.1 Policies Water Quantity and Allocation

General Policies for Water Quantity and Allocation

….

Assessment Criteria

15. In addition to the policies above, when considering applications to take and use water, the following assessment criteria shall be used:
    a) …..
    q) The requirement for an Irrigation Management Plan in accordance with Appendix H22.

Advisory Note: For the Upper Mōtū Catchment Plan area additional policy applies - refer to Policy – Mōtū – P1 in Section DF2.4 .1 for Upper Mōtū Catchment Plan specific policy.

Rule Table C6.1.2

Rule Number	Rule	Status	Permitted Activity Standards, Matters for Control or Discretion
Restricted Discretionary Activities			
6.1.2(5)	The renewal of water abstraction permits lawfully established before	Restricted discretionary	a)… …t) The requirement for an Irrigation Management Plan in

	the date of notification of this Plan. **Advisory Note: This Rule does not apply within the Upper Mōtū Catchment Plan area. Instead refer to Rule Table DF2.4.2 in the Upper Mōtū Catchment Plan for the relevant rules that apply.**		accordance with Appendix H22.
6.1.2(6)	The take and use of surface water or groundwater not lawfully established before the date of notification of this Plan. **Advisory Note: This Rule does not apply within the Upper Mōtū Catchment Plan area. Instead refer to Rule Table DF2.4.2 in the Upper Mōtū Catchment Plan for the relevant rules that apply**	Restricted discretionary	See matters a) to t) specified for Rule 6.1.2(5)
6.1.2(7)	The transfer of water permits, including temporary transfers, and partial transfers. Provided that: a. The transfer of water is within the same water quantity zone b. There is no increase in allocation c. For over allocated water quantity zones the applicant demonstrates that there is no increase in the water allocated beyond that assessed under the reasonable use test for the current water use **Advisory Note: This Rule does not apply within the Upper Mōtū Catchment Plan area. Instead refer to Rule Table DF2.4.2 in the Upper Mōtū Catchment**	Restricted discretionary	See matters a) to t) specified for Rule 6.1.2(5)

	Plan for the relevant rules that apply.		
6.1.2(8)	…	…	…
Discretionary Activities			
6.1.2. (9)	The take and use of surface water or groundwater not lawfully established before the date of notification of this Plan where no catchment plan and water quantity limits are in place. **Advisory Note: This Rule does not apply within the Upper Mōtū Catchment Plan area. Instead refer to Rule Table DF2.4.2 in the Upper Mōtū Catchment Plan for the relevant rules that apply.**	Discretionary	
6.1.2.(10)	The take, use and transfer of surface water or groundwater not provided for in another rule in this Plan. **Advisory Note: This Rule does not apply within the Upper Mōtū Catchment Plan area. Instead refer to Rule Table DF2.4.2 in the Upper Mōtū Catchment Plan for the relevant rules that apply.**	Non - complying	

C6.2 Water Quality and Discharges to Land and Water

C6.2.1 General Water Quality Policies

Advisory Note: For the Upper Mōtū Catchment Plan area there are additional policies that apply to all discharges. Refer to Section DF2.4.3 for the Upper Mōtū Catchment Plan specific policies.

C6.2.2 Policies for Point Source Discharges

…

6. Where a water quality objective in not being met or a limit/target has been exceeded or the waterbody, including coastal waters, is identified as degraded:

a) Targets, methods and timeframes for improvements in water quality will be identified through the catchment planning process;

b) Ongoing monitoring will be undertaken to track the progress in water quality improvement;

c) New discharges and renewals of existing discharge consents will be managed to bring the waterbody back within the water quality limit and/or to better achieve the freshwater quality objective;

d) No discharge consents for new point source discharges of contaminants of concern will be issued unless the contaminants of concern are reduced to a concentration that maintains or improves water quality after reasonable mixing;

e) As existing discharge consents are renewed additional requirements for avoidance of contamination, recovery of contaminants, treatment, or alternative disposal methods will be required unless treatment reduces the contaminants of concern to a concentration that maintains or improves water quality after reasonable mixing; and

f) Where a section 128 review of conditions of an existing discharge consent is undertaken additional conditions aimed at bringing the waterbody back within the limit, or to better achieve the freshwater quality objectives, may be placed on the consent.

Advisory Note: *This policy is specifically relevant to any resource consents for discharges within the Upper Mōtū Catchment – Farmlands and Settlements FMU as the Upper Mōtū River and Mātāwai Stream have both been identified as degraded waterbodies..*

7. When waterbodies are identified in a catchment as degraded due to:

a) Bacterial contaminants, wastewater discharges will be required to improve the quality of the discharge and/or reduce the volume of the discharge in order to meet the relevant freshwater objective as quickly as practicable; and

b) Stormwater contaminants, stormwater discharges will be required to improve the quality of the discharge and/or reduce the volume of the discharge in order to meet the relevant freshwater objective as quickly as practicable.

Advisory Note: *This policy is specifically relevant to any resource consents for discharges within the Upper Mōtū Catchment – Farmlands and Settlements FMU as the Upper Mōtū River and Mātāwai Stream have both been identified as degraded waterbodies..*

…

C6.2.9 Rules for Diffuse Discharges

Rule Table C6.2.9

Advisory Note*: There are additional rules for Diffuse Discharges and land uses that generate these discharges that apply in the Upper Mōtū Catchment Plan Area. Refer to Rule Table DF2.4.4 of the Upper Mōtū Catchment Plan. For the avoidance of doubt, where the Upper Mōtū Catchment Plan rules are more stringent for an activity, the more stringent rule applies.*

C6.2.12 Rules for Solid Discharges

Rule Table C6.2.12

Advisory Note*: There are additional rules for Solid Discharges and the application of fertiliser that apply in the Upper Mōtū Catchment Plan Area. Refer to Rule Table DF2.4.4 of the Upper*

Mōtū Catchment Plan. For the avoidance of doubt, where the Upper Mōtū Catchment Plan rules are more stringent for an activity, the more stringent rule applies.

C6.3 Activities in the Beds of Rivers and Lakes

Advisory Notes

...

2. A National Water Conservation (Motu River) Order 1984 exists on the Motu River and includes the Motu River from and including the Motu Falls (at or about map reference NZMS 1 N88:007886) to the State Highway 35 bridge (at or about map reference NZMS1 N70:052354) together with -

a) The following tributaries of the Motu River:

I. The Waitangirua Stream;

II. The Mangaotane Stream;

III. The Te Kahika Stream;

IV. The Mangatutara Stream.

That part of the Takaputahi River below its confluence with the Whitikau Stream (at or about map reference NZMS 1 N79:004116).

This area is identified in the Maps of the Plan.

3. There are additional policies and rules for activities in the beds of rivers and lakes within the Mōtū Catchment Plan area. Refer to Sections DF2.4.5 and Rule Table DF2.4.6 for these provisions. For the avoidance of doubt, where the Upper Mōtū Catchment Plan rules are more stringent for an activity, the more stringent rule applies.

C6.3.6 Policies for Vehicle and Stock Access

Advisory Note: *For the Upper Mōtū Catchment Plan area there are additional policies that apply to all stock access. Refer to Section DF2.4.5 for the Upper Mōtū Catchment Plan specific policies.*

C6.3.9 Policies for Gravel Extraction

Advisory Note: *For the Upper Mōtū Catchment Plan area there are additional policies that apply to all gravel extraction. Refer to Section DF2.4.5 for the Upper Mōtū Catchment Plan specific policies.*

C6.3.10 Rules for Gravel Extraction

Rule Table C6.3.10

Rule Number	Rule	Status	Permitted Activity Standards, Matters for Control or Discretion
Permitted Activities			
6.3.10(1)	The extraction of sand, shingle, gravel or rock in quantities less than 30 cubic metres per individual over any 12 month period from the dry bed of the	Permitted	...

	river except where this occurs within the Upper Mōtū River or the Upper Koranga River mainstem. ***Advisory Note:*** *Under Rule DF2.4.6.1 of the Upper Mōtū Catchment Plan all extraction of gravel and rock from the bed of the Upper Mōtū River mainstem and the Upper Koranga River mainstem is a Discretionary Activity.*		

C6.3.12 Policies for Damming, Diversion and Drainage of Streams, Rivers and Lakes

Advisory Note: *For the Upper Mōtū Catchment Plan area there are additional policies that apply to all damming and diversion activities. Refer to Section DF2.4.5 for the Upper Mōtū Catchment Plan specific policies.*

C6.3.13 Rules for Damming, Diversion and Drainage of Streams, Rivers and Lakes

Rule Table C6.3.13

Rule Number	Rule	Status	Permitted Activity Standards, Matters for Control or Discretion
Discretionary Activities			
6.3.13(4)	Damming, diversion and drainage of water in the bed of a river or stream which does not comply with permitted activity standards, except for Outstanding Waterbodies in Schedule G18 – Outstanding Waterbodies. ***Advisory note:*** ***1.*** *For damming and diversion when affects wetlands, refer to Section C9.3.1 Activities in and Adjacent to Wetlands.* ***2.*** *Where permanent damming of the Upper Mōtū River mainstem is*	Discretionary	

	proposed refer to Rule DF2.6.2 of the Upper Mōtū Catchment Plan.		
Non – complying Activities			
6.3.13(5)	The damming, diversion and drainage of Outstanding Waterbodies in Schedule G18 – Outstanding Waterbodies ***Advisory note:*** *Where permanent damming of the Upper Mōtū River mainstem is proposed refer to Rule DF2.6.2 of the Upper Mōtū Catchment Plan*	Non - complying	

(Insert Heading) DF2 Freshwater Management Units: Upper Mōtū Catchment

(Insert Heading) DF2.1 Upper Mōtū Catchment Plan

(Insert Heading) DF2.1.1 Introduction

The Upper Mōtū Catchment Plan covers the streams and rivers within the Tairāwhiti – Gisborne Region that constitute the upper reaches of two catchment areas that straddle the Tairāwhiti and Toi Moana -Bay of Plenty regions:

- the Waioeka – Otara Catchment and
- the Mōtū Catchment

Within the Toi Moana – Bay of Plenty Region the Waioeka – Otara Catchment is within the Waioeka Freshwater Management Unit and the Mōtū Catchment is within the East Coast Freshwater Management Unit.

The area within this catchment plan includes five upland stream and river catchment areas that have a combined area of 886km2:

The waterbodies within this catchment area represent the only upland streams and rivers in the Tairāwhiti - Gisborne Region. In contrast to many waterways, human settlement and landuses (largely pastoral farming) occur in the upper reaches while the middle to lower reaches pass through largely unmodified native forest..
The catchments intersect the rohe of multiple iwi and hapū– Te Aitanga ā Māhaki, Te Whanau ā Apanui, Ngāi Tuhoe, Te Whanau a Hikarukatai, Whakatōhea and Ngāti Ira.
A water conservation order is in place for the Mōtū River catchment area below the Mōtū Falls.

The catchments are split across local government boundaries with the upper catchments being in the Tairāwhiti - Gisborne Region and the mid and lower catchment being in the Toi Moana - Bay of Plenty Region within the Opotiki district. This means that there is a need for integration of management between the Councils. These areas lie predominantly within public conservation land and have significant eccological and cultural values. The Raukūmara Pae Maunga Restoration Project includes the mid and lower Mōtū Catchment and much of the Waioeka-Otara catchment.

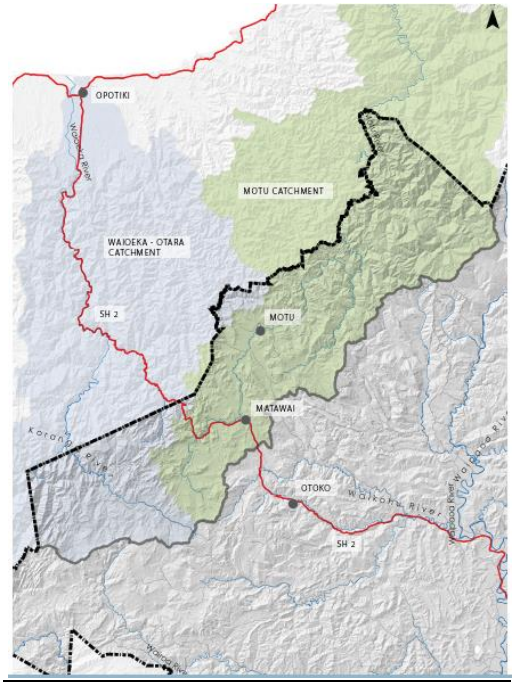


Figure DF2.1 Upper Mōtū Catchment

(Insert Heading) DF 2.1.2 Objectives for the Upper Mōtū Catchment

Objective 1 To improve the water quality of the freshwaters in the catchment so that they support a diverse and abundant range of native biota.

Objective 2 To maintain the diversity of rare, threatened and unique riverine species where present in the catchment and undertake habitat improvements that enable threatened species to return to their natural range.

Objective 3 To ensure that wai tapu are free from human and animal waste, pollutants and excess sediment.

Objective 4 To ensure that tributary streams and puna/springs within the catchment continue to provide sufficient quantities of water that is suitable for domestic use.

Objective 5 To improve the water quality in the catchment so that the local community are able to safely swim during the bathing season in the Farmlands and Settlements FMU and year round in the Te Wai o Ngahere FMU.

Objective 6 To ensure that mahinga kai is plentiful and safe to harvest and eat and is able to provide a variety of food for the people of the rohe.

Objective 7 To maintain the existing natural character of the freshwaters in the catchment; and

1. Restore the riparian environment in modified areas through planting and use of soft engineering methods as a preferred method for erosion management; and
2. Minimise any further straightening or relocation of the rivers and streams; and
3. Avoiding the damming of the mainstem Mōtū River.

Objective 8 To maintain the nationally significant trout fishery values within the Mōtū and Koranga Rivers, including:

1. Maintaining successful spawning in tributary streams; and
2. Maintaining angler access to the river to fish at a range of public access locations.

Objective 9 To maintain the wild and scenic values of the Te Wai o Ngahere FMU that attract people to the Mōtū and Koranga Rivers and continue to provide for a range of recreation values that derive from these wild and scenic qualities.

Objective 10 To retain the use of streams, rivers and groundwater in the catchment as the source of sufficient drinking water for livestock but undertake this in such a way that other identified values of the waterbodies are not compromised.
Objective 11 To manage freshwater in a way which enables farming to continue in the catchment as a major landuse, which supports the livelihood of the local community in such a way that the health and wellbeing of freshwater is not compromised.
Objective 12 To enable the Upper Mōtū River water to be used to support existing commercial and industrial uses, irrigation and cultivation of permanent and annual crops where there is water available and where it's use does not compromise other values of the river.

(Insert Heading) DF 2.1.3 Freshwater Management Units and Values

There are two Freshwater Management Units which have been identified for the area covered by this catchment plan – The Farmlands and Settlements Freshwater Management Unit and the Te Wai o Ngahere Freshwater Management Unit.

The Farmlands and Settlements FMU includes most of the farmed area within the catchment plan area. Most of the land use is hill country sheep and beef farming, with some intensive beef farming and dairy support on the river terraces and two dairy farms. There are two commercial quarries, small blocks of pine forestry and native bush, and the settlements of Mātāwai and Mōtū within the FMU. While trout fishing is important throughout the catchment plan area, the nationally significant trout fishery, and the associated spawning streams are largely found within the Farmlands and Settlements FMU. While the FMU does not include any river within the Mōtū River Water Conservation Order, there are provisions within the Order which also apply within this FMU.

Te Wai o Ngahere FMU includes the part of the catchment plan area that is within the Mōtū Water Conservation Order 1984 (within Gisborne District), the Upper Pakihi Catchment and most of the bush clad areas of the Upper Mōtū and Waioeka – Otara Catchments. The predominant landowner in this FMU is the Department of Conservation , but there are also some areas of privately owned land. This FMU is known for its wild and scenic values, prevelence of indigenous threatened species and recreational uses and has a high degree of naturalness.

Value	**Farmlands and Settlements FMU**	**Te Wai o Ngahere FMU**
Ecosystem Health	✓	✓
Mahinga Kai	✓	✓
Trout Fishing	✓	✓
Farming and Production	✓	✓
Wai Tapu	N/A	✓
Recreation	N/A	✓
Human Contact	✓	✓
Threatened Species	✓	✓
Natural Form and Character	✓	✓
Animal Drinking Water	✓	✓
Drinking Water Supply	✓	✓
Commercial and Industrial Use	✓	N/A

Figure DF2.2 Values in the Upper Mōtū Catchment Freshwater Management Units identified for Management Outcomes

(Insert Heading) DF2.2 Farmlands and Settlements FMU

The Farmlands and Settlements Freshwater Management Unit encompasses the main areas of farming and productive uses within the catchment plan area. It includes the upper part of the farmed area of the Koranga catchment headwaters.

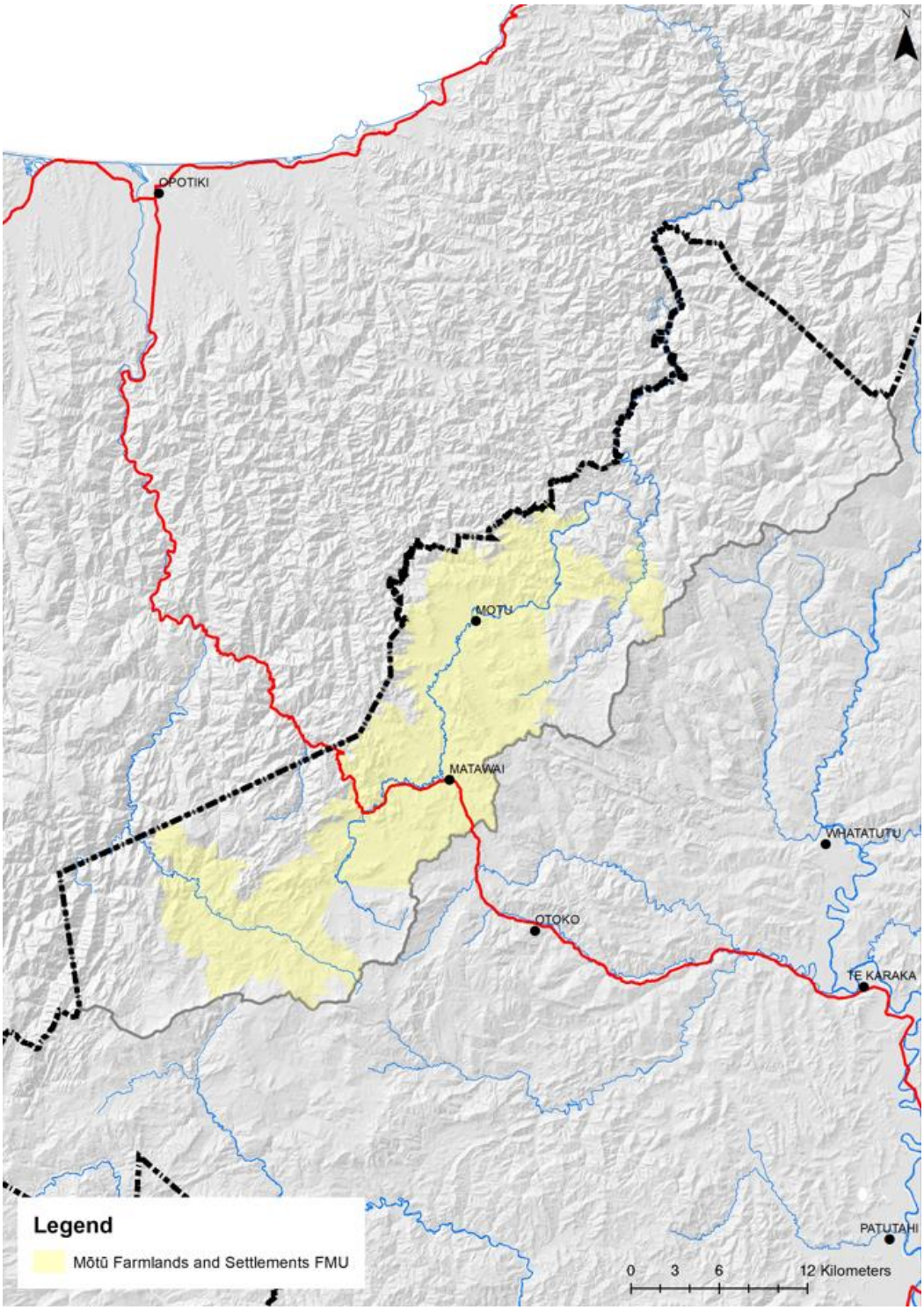


Figure DF2.3 Upper Mōtū Catchment - Farmlands and Settlements FMU

(Insert Heading) DF2.2.1 Monitoring Sites within the Farmlands and Settlements FMU

Within this FMU the following sites will be used for monitoring

Monitoring site	Location	Role
Gisborne District Council Mōtū at Kotare Station	Mōtū River mid upper reaches at Kotare Station Bridge	Representative of part of FMU . Monitored monthly for water quality NOF attributes, annually for aquatic ecosystem health and continuously for water quantity attributes.
Gisborne District Council Mātāwai Stream	Matawai Stream	Representative of part of FMU (more intensively farmed tributaries). Monitored monthly for NOF water quality attributes and annually for aquatic ecosystem health attributes.
Gisborne District Council Mōtū Above Mōtū Falls	Mōtū River	Representative of part of FMU. Monitored monthly for NOF water quality attributes and annually for aquatic ecosystem health attributes. Representative primary contact site – monitored for E.coli and Phormidium in the swimming season.
Gisborne District Council Koranga River at Koranga Road	Koranga River	Representative of FMU – Monitored annually for aquatic ecosystem health
Gisborne District Council monitoring site Koranga tributary at Rakauroa Road	tributary of the Koranga River	Representative of FMU – Monitored annually for aquatic ecosystem health

Figure DF 2.4 Monitoring Sites in the Farmlands and Settlements FMU

(Insert Heading) DF 2.2.2 Environmental Outcomes for the Farmlands and Settlements FMU

Freshwater value	Outcome statement	
Ecosystem health	**EO-1**	The water quality and quantity (river, streams and wetland flows) support a diverse and abundant range of native biota including invertebrates, plants, fish and birds.
Threatened species	**EO-2**	Tuna (long fin eel)continues to thrive in the rivers. Where possible habitat improvements enable other threatened species to expand their natural range into the FMU.
Natural Form and Character	**EO-3**	The existing natural character of the rivers and streams is maintained. Further straightening or relocation of the rivers and streams is minimised and damming of the main rivers is avoided. Existing crossings and access structures are protected from erosion, soft engineering methods for erosion protection are preferred where possible. The riparian environment is improved through planting to reduce the impact of bank erosion on this value.
Mahinga kai	**EO-4**	The rivers and streams offer rich habitat for mahinga kai species which thrive within and around water. Kai and other resources are plentiful and safe to harvest and eat and are able to provide food for the people of the rohe and their manuhiri.

Drinking Water Supply	**EO-5**	Tributary streams and springs within the catchment continue to provide for domestic use with healthy safe drinking water.
Human contact	**EO-6**	The local community are able to enjoy the waterholes and swimming spots. Bacterial contamination is reduced so that the rivers of the catchment meet standards for recreational use.
Trout Fishing	**EO-7**	The Mōtū River and its tributaries retains it's nationally significant trout fishery status. Successful spawning occurs in tributary streams keeping the fishery abundant. Anglers are able to access the river to fish at a range of locations. Fishing the river remains a premier experience for locals and visitors alike.
Animal drinking water	**EO-8**	The streams, rivers and groundwater provide sufficient quantities of healthy drinking water needs for livestock. This is done in such a way that other identified values of the river are not compromised.
Farming and Production	**EO-9**	Freshwater is managed in way which enables farming to continue in the catchment as a major landuse supporting the livelihood of peeople and the local community in such a way that the health and wellbeing of freshwater is not compromised.
Commercial and Industrial	**EO-10**	Freshwater is managed in a way which enables existing commercial and industrial uses are able to continue where they do not compromise other identified values of the river.

Figure DF2.5 Environmental Outcomes for the Farmlands and Settlements FMU

(Insert Heading) DF2.2.3 Farmlands and Settlements Freshwater Management Unit Attributes – Baseline States and Target States

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Compulsory Attributes									
Periphyton (trophic state) in rivers (mg chl-*a*/m²)	Kotare Station Bridge Mōtū Above Falls Mātāwai Stream	Likely B Band	Likely >50 and <120	B Band	Annual median <120	Occasional blooms reflecting low nutrient enrichment and/or alteration of the natural flow regime or habitat	Maintain Current State		Ecosystem health Human Contact
	Koranga River at Koranga Road Koranga tributary at Rakauroa Road	Likely A Band	Likely <50	A Band	Annual median <50	Rare blooms reflecting negligible nutrient enrichment and/or alteration of the natural flow regime or habitat	Maintain Current State		
Ammonia (toxicity) (mg/L)	Kotare Station Bridge Mōtū Above Falls Mātāwai Stream	B Band	Annual median <0.24 Annual maximum <0.40	A Band	Annual median <0.03 Annual maximum <0.05	99% species protection level. No observed effect on any species tested.	Maintain Current State 2033	A Band	Ecosystem health Trout fishing Mahinga kai
Nitrate (toxicity) (mg/L)	Kotare Station Bridge Mōtū Above Falls	A Band	Annual median <1.0 Annual 95th Percentile <1.5	A Band	Annual median <1.0	High conservation value system. Unlikely to be effects even on sensitive species	2033	A Band	Ecosystem health Trout fishing Mahinga kai

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
	Mātāwai Stream				Annual 95th Percentile <1.5				
Suspended fine sediment (visual clarity in metres). Suspended Sediment Class 1	Kotare Station Bridge Mōtū Above Falls Mātāwai Stream	D Band	Annual median <1.34	D Band	Annual Median 0.85m	Reduce human-induced contribution of suspended sediment so that values are similar to the Reference Site	2043	0.8m	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Drinking water
Escherichia coli (E.coli) **(cfu/100mL)**	Kotare Station Bridge	D Band	Annual Median concentration >130 Annual 95th Percentile >1200	C Band	Annual Median <130 Annual 95th Percentile <1200 10-20% exceedances over 540/100mL 20-34% exceedances over 260/100mL	For at least half of the time the estimated risk is <1 in 1000 (0.1% risk) The predicted average infection risk is 3%	2043	Median <130 Strong declining trend in 95th percentile values	
	Mōtū Above Falls Mātāwai Stream	E Band	Annual Median concentration >260 Annual 95th Percentile >1200				2043	D Band	Human contact Mahinga kai Animal drinking water Recreation Drinking water supply

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Attributes Requiring Action Plans									
Fish (Fish index of Biotic Integrity)	Kotare Station Bridge Mōtū Above Falls Mātāwai Stream Koranga River at Koranga Valley Road Koranga tributary at Rakauroa Road	B Band Estimated		B Band	>28	Reintroduction of native species no longer present in the ecosystem. Improvement in habitat. Mōtū Falls remains a significant barrier for migration of all but eel species.	Confirm current attribute state Refer Action Plan		Ecosystem health Threatened species Mahinga kai
Macro-invertebrates (QMCI and MCI)	Koranga River at Koranga Road Koranga Trib at Rakauroa Road	B Band	QMCI >5.5 and<6.5 MCI >110 and <130	B Band	QMCI >5.5 MCI >110	Macroinvertebrate community indicative of mild organic pollution or nutrient enrichment. Largely composed of taxa sensitive to organic pollution/nutrient enrichment.	Maintain Current State		Ecosystem health Trout fishing Mahinga kai
	Mātāwai Stream Kotare Station Bridge	C Band	QMCI >4.5 and<5.5 MCI >90 and <110				2038 Refer to Action Plan		
	Mōtū above Falls	D Band	QMCI <4.5 MCI >90 and <110				2038 Refer to Action Plan		
	Koranga River at Koranga Road	A Band	>0.6	A Band	>0.6	Macroinvertebrate communities have a	Maintain Current State		Ecosystem health

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Macro-invertebrates (ASPM)	Koranga Tributary at Rakauroa Road					high ecological integrity, similar to that expected in reference conditions.			Trout fishing Mahinga kai
	Kotare Station Bridge Mātāwai Stream	B Band	<0.6 and >0.4	B Band	>0.4	Macroinvertebrate communities have mild-to-moderate loss of ecological integrity	Maintain Current State		
	Mōtū Above Falls	C Band	<0.4 and >0.3				2038 Refer to Action Plan		
Deposited Fine Sediment (percentage cover)	Mōtū Above Falls	A Band	<9	A Band	<9	Minimal impact of deposited fine sediment on instream biota. Ecological communities are similar to those observed in reference conditions	Maintain Current State		Ecosystem health Trout fishing Mahinga kai Threatened species Natural form and character Wai tapu
	Kotare Station Bridge	D Band	>27	C Band	<29	Moderate to high impact of deposited fine sediment on instream biota. Sensitive macroinvertebrate species may be lost	2038 Refer to Action Plan		

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Dissolved Reactive Phosphorus (mg/L)	Mātāwai Stream	B Band	Annual Median >0.06 and<0.010 Annual 95th Percentile >0.021 and <0.030	B Band	Annual Median <0.010	Ecological communities are slightly impacted by minor DRP elevation above natural reference conditions. If other conditions also favour eutropication, sensitive ecosystems may experience additional algal and plant growth, loss of sensitive macroinvertebrate taxa and higher respiration and decay rates	2043	C Band Reverse Degrading Trend by 2027 Refer to Action Plan	Ecosystem health Trout fishing Mahinga kai
	Mōtū Above Falls Kotare Station Bridge	C Band	Annual Median >0.010 and <0.018 Annual 95th Percentile >0.030 and <0.054	C Band	Annual Median <0.018 Annual 95th Percentile <0.054	Ecological communities impacted by moderate DRP elevation. In combination with other conditions favouring eutrophication, DRP enrichment may cause increased algal and plant growth, loss of sensitive macro-invertebrate and fish	Maintain current state		

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
						taxa and high rates of respiration and decay.			
Escherichia coli **(E.coli/100 mL) (Primary contact sites during the bathing season)**	Mōtū Above Falls	Poor	Annual 95th Percentile>540	Fair	Annual 95th Percentile <540	Estimated risk of *Campylobacter* infection has 1-5% occurrence, 95% of the time	2043 Refer to Action Plan		Human contact Recreation
Ecosystem Metabolism (g O_2/m^2/day)	Kotare Station Bridge Mōtū Above Falls	Satisfactory	> -4.00 and < -5.00	N/A	> -4.00 and < -5.00	Satisfactory	Maintain current state		Ecosystem health Trout fishing Mahinga kai
	Mātāwai Stream	Poor	>-9.00 and <-10.00	Satisfactory	< 8.0	Poor	2033 Refer to Action Plan		
Dissolved oxygen (mg/L)	Kotare Station Mōtū Above Falls	B Band	7-day mean minimum >7.0 and <8.0 1-day mean minimum >5 and <7.5	B Band	7-day mean minimum >7.0 1-day mean minimum >5	Occasional minor stress on sensitive organisms caused by short periods (a few hours each day) of lower dissolved oxygen. Risk of reduced abundance of sensitive fish and macroinvertebrates.	Maintain current state		Ecosystem health Trout fishing Mahinga kai
	Mātāwai Stream	C Band	7-day mean minimum >5.0 and <7.0 1-day mean minimum >5 and <7.5				2038 Refer to Action Plan		

Attribute	Farmlands and Settlements Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by this Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Rapid Habitat Assessment (score out of 100)	Kotare Station Bridge Koranga River at Koranga Valley Road Koranga Tributary at Rakauroa Road	N/A	>60 and <70	**N/A**	>60 and <70	High	Maintain Current State		Natural Form and Character Ecosystem Health Trout Fishing Mahinga Kai
	Mōtū Above Falls		>70 and <80		>60 and <70	High	Maintain Current State		
	Mātāwai Stream		>40 and <50		>60	Moderate	2038 Refer to Action Plan		

Figure DF2.6 Farmlands and Settlements Freshwater Management Unit Baseline States and Target Attribute States

(Insert Heading) DF 2.3 Te Wai o Ngahere Freshwater Management Unit

Te Wai o Ngahere Freshwater Management Unit (FMU) encompasses the natural bush covered and largely unmodified areas within the catchment plan area. It includes the headwaters of the Mōtū River in the Mātāwai Conservation Area as well as the Waitangirua Catchment and the Mōtū River and tributary catchments below the Falls. It also includes the Opato and Pakihi catchment headwaters and the Kahunui Stream and tributaries in the Koranga catchment headwaters.

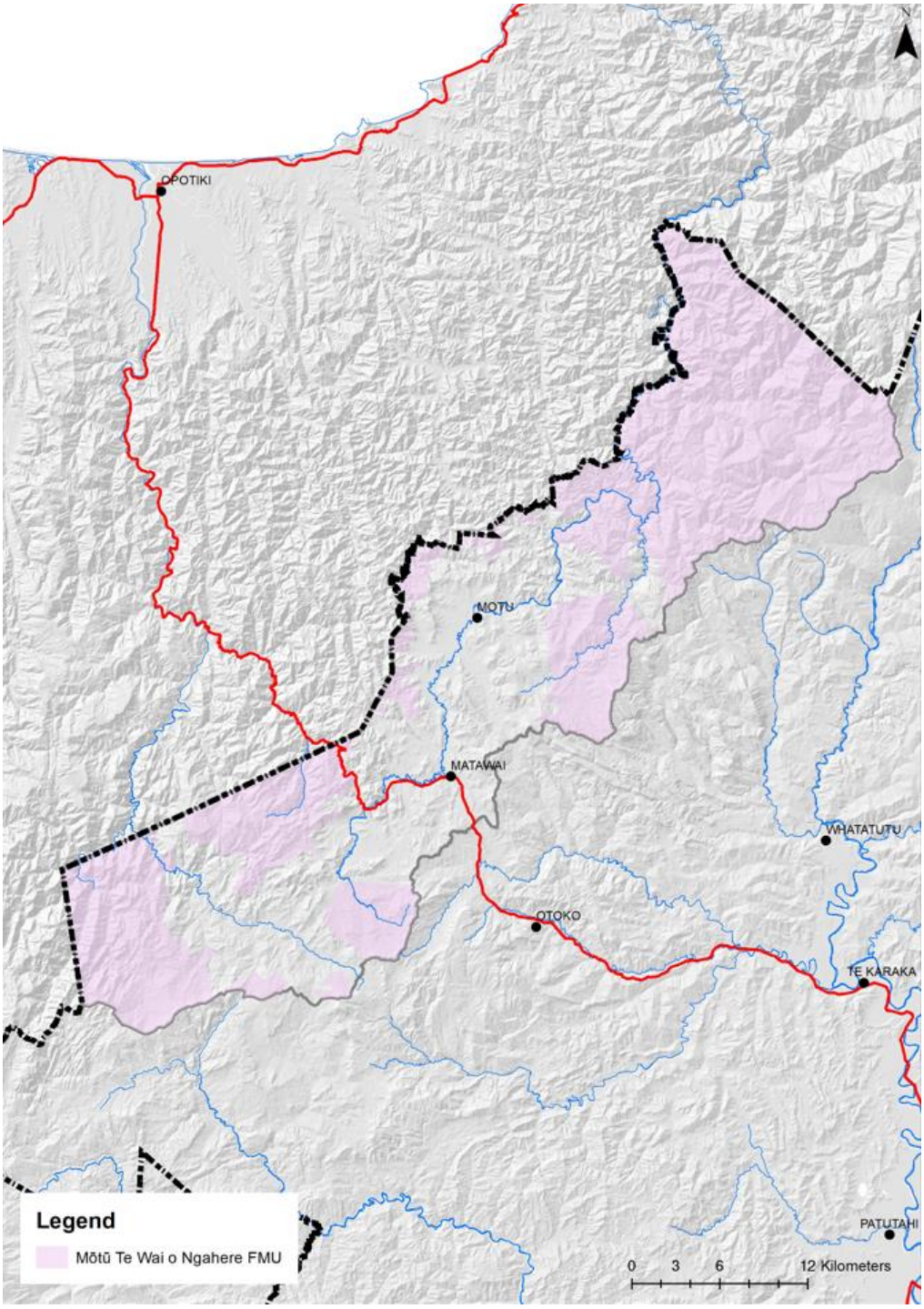


Figure DF2.7 Upper Mōtū Catchment – Te Wai o Ngahere FMU

(Insert Heading) DF2.3.1 Monitoring Sites within Te Wai o Ngahere FMU

Within this FMU the following sites will be used for monitoring.

Monitoring site	Location	Role
Gisborne District Council Mātāwai Conservation Area	Mōtū River headwaters	Representative of FMU. Monitored monthly for NOF water quality attributes and annually for aquatic ecosystem health attributes.
Gisborne District Council Upper Mōtū Tributary at Mōtū Road	Tributary of Mōtū River	Representative of FMU. Monitored annually for aquatic ecosystem health attributes.
Gisborne District Council Whakarau Tributary at Whakarau Road monitoring site	Tributary of Mōtū River	Representative of FMU. Monitored annually for aquatic ecosystem health attributes.
Gisborne District Council Marumoko Stream at Marumoko Road monitoring site	Tributary of Mōtū River	Representative of FMU. Monitored annually for aquatic ecosystem health attributes.

Figure DF2.8 Monitoring Sites within Te Wai o Ngahere FMU

(Insert Heading) DF 2.3.2 Environmental Outcomes for Te Wai o Ngahere FMU

Freshwater value	Outcome statement	
Ecosystem health	**EO-1**	The good water quality and healthy flows in the rivers, streams and wetlands continue to support a diverse and abundant range of native biota including invertebrates, plants, fish and birds.
Threatened species	**EO-2**	Many rare and unique riverine plants and animals thrive in the area including whio (blue duck), hochstetter's frog and tuna (long fin eel) as well as a wide range of insects and freshwater invertebrates in healthy habitats. Rare and threatened native fish can be found that are able to live their full life cycle unimpeded by human made barriers or absence of habitat.
Natural Form and Character	**EO-3**	The high degree of natural character of the rivers and streams is maintained with clear water, natural flows and courses. They exist within a native forest environment with natural wetlands.
Wai Tapu	**EO-4**	Wai tapu are free from human and animal waste, pollutants and excess sediment.
Mahinga kai	**EO-5**	The rivers and streams offer rich habitat for mahinga kai species which thrive within and around water. Kai and other resources are plentiful and safe to harvest and eat and are able to provide food for the people of the rohe.
Drinking Water Supply	**EO-6**	Tributary streams and springs within the catchment continue to provide for domestic use with healthy safe drinking water.
Human contact	**EO-7**	Visitors and locals are able to enjoy swimming in waterways with clear water and low sediment. Low bacterial contamination and an absence of Phormidium cyanobacteria blooms means it is safe to swim year round.
Trout Fishing	**EO-8**	The nationally significant trout fishery values are maintained with excellent spawning habitat in small streams and great fishing in the main Mōtū and Koranga Rivers.

Recreation	**EO-9**	The wild and scenic values that attract people to the Mōtū and Koranga Rivers continue to provide for a range of recreation including kayaking, white water rafting and tramping.
Animal drinking water	**EO-10**	Streams and rivers in the catchment continue to provide drinking water to support the health and wellbeing of livestock. This is done in such a way that other values of the waterbodies are not compromised.

Figure DF 2.9 Environmental Outcomes for Te Wai o Ngahere FMU

(Insert Heading) DF2.3.3 Te Wai o Ngahere Freshwater Management Unit Attributes – Baseline States and Target States

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Compulsory Attributes									
Periphyton (trophic state) in rivers (mg chl-*a*/m²)	Mātāwai Conservation Area Upper Mōtū Tributary at Mangatu Whakarau Tributary at Whakarau Road Marumoko Stream at Marumoko Road	Likely A Band	Likely <50	A Band	Annual median <50	Rare blooms reflecting negligible nutrient enrichment and/or alteration of the natural flow regime or habitat	Maintain current state		Ecosystem health Human Contact
Ammonia (toxicity) (mg/L)	Mātāwai Conservation Area	A Band	Annual median <0.03 Annual maximum <0.05	A Band	Annual median <0.03 Annual maximum <0.05	99% species protection level. No observed effect on any species tested.	Maintain current state		Ecosystem health Trout fishing Mahinga kai

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Nitrate (toxicity) (mg/L)	Mātāwai Conservation Area	A Band	Annual median <1.0 Annual 95th Percentile <1.5	A Band	Annual median <1.0 Annual 95th Percentile <1.5	High conservation value system. Unlikely to be effects even on sensitive species	Maintain current state		Ecosystem health Trout fishing Mahinga kai
Suspended fine sediment (Visual clarity in metres)	Mātāwai Conservation Area	Likely D Band	Annual median <1.34	D Band	Annual Median >1.0	High impact of suspended sediment on instream biota. Sensitive fish species may be lost. This is thought to be a largely natural circumstance. Pest disturbance may be a factor however.	2043	Annual Median >0.9	
Escherichia coli (E.coli/100mL)	Mātāwai Conservation Area	D Band	Annual Median concentration >130 Annual 95th Percentile <1000	B Band	Annual Median concentration <130 Annual 95th Percentile <1000	For at least half the time, the estimated risk is <1 in 1000 (0,1% risk). The predicted average infection risk is 2%.	2033		Human contact Mahinga kai Animal drinking water Recreation Drinking water supply
Attributes Requiring Action Plans									

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Fish (Fish index of Biotic Integrity)	Mātāwai Conservation Area	B Band Estimated		B Band	>28	Reintroduction of native species no longer present in the ecosystem. Improvement in habitat. Mōtū Falls remains a significant barrier for migration of all but eel species.	Confirm current attribute state Refer Action Plan		Ecosystem health Trout fishing Mahinga kai
Macroinvertebrates (QMCI and MCI)	Mātāwai Conservation Area	B Band	QMCI >6.5 MCI >110 and <130	B Band	QMCI >6.5 MCI >110	Macroinvertebrate community indicative of pristine conditions with almost no organic pollution or nutrient enrichment. This site represents one of the highest MCI scores in the Tairāwhiti - Gisborne Region and is considered a Reference Site.	Maintain current state		Ecosystem health Trout fishing Mahinga kai
	Upper Mōtū Trib at Mangatu Marumoko Stream and Marumoko Road	B Band	QMCI >5.5 and<6.5 MCI >110 and <130	B Band	QMCI >5.5 MCI >110	Macroinvertebrate community indicative of mild organic pollution or nutrient enrichment. Largely composed of taxa	Maintain current state		

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
						sensitive to organic pollution/nutrient enrichment.			
	Whakarau Trib at Whakarau Road	D Band	QMCI <4.5 MCI >90 and <110	C Band	QMCI >4.5 MCI >90	Macroinvertebrate community indicative of moderate organic pollution or nutrient enrichment. There is a mix of taxa sensitive and insensitive to organic pollution/nutrient enrichment.	2033		
Macro-invertebrates (ASPM)	Mātāwai Conservation Area Upper Mōtū Trib at Mangatu Marumoko Stream at Marumoko Road	A Band	>0.6	A Band	>0.6	Macroinvertebrate communities have high ecological integrity, similar to reference conditions.	Maintain current state		Ecosystem health Trout fishing Mahinga kai
	Whakarau Trib at Whakarau Road	B Band	<0.6 and >0.4	B Band	>0.4	Macroinvertebrate communities have mild – to -moderate loss of ecological integrity	Maintain current state		

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Deposited Fine Sediment (%)	Mātāwai Conservation Area	C Band	> 19 and <27	C Band	<27	Moderate to high impact of deposited fine sediment on instream biota.	Maintain current state		Ecosystem health Trout fishing Mahinga kai Threatened species Natural form and character Wai tapu
	Upper Mōtū Trib at Mangatu	D Band	>27				2033 Refer Action Plan		
	Whakarau Trib at Whakarau Road	B Band	>12 and <19	B Band	<19	Low to moderate impact of deposited fine sediment on instream biota. Abundance oif sensitive macroinvertebrate species may be reduced.	Maintain current state		
	Marumoko Stream at Marumoko Road	A Band	<13	A Band	<13	Minimal impact of deposited fine sediment on instream biota. Ecological communities are similar to those observed in reference conditions	Maintain Current State		

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Dissolved Reactive Phosphorus (mg/L)	Mātāwai Conservation Area	C Band	Annual Median >0.010 and <0.018 Annual 95th Percentile <0.021	C Band	Annual Median <0.018 95th Annual Percentile <0.021	Ecological communities impacted by moderate DRP elevation. In combination with other conditions favouring eutrophication, DRP enrichment may cause increased algal and plant growth, loss of sensitive macro-invertebrate and fish taxa and high rates of respiration and decay. This site is considered a reference site for the catchment and the levels of DRP therefore are considered to largely represent the natural condition.	Maintain current state		Ecosystem health Trout fishing Mahinga kai
Ecosystem Metabolism (g O_2/m^2/day)	Mātāwai Conservation Area	TBC	TBC	TBC	TBC	Maintain current state	Maintain current state		Ecosystem health Trout fishing Mahinga kai

Attribute	Te Wai o Ngahere Freshwater Management Unit Baseline States and Target States								Environmental Outcome supported by the Target attribute state
	Monitoring Sites	Baseline Attribute Band	Baseline Numeric Attribute State	Target Attribute band	Target Numeric Attribute State	Description	Timeframe to Achieve Target State	Interim Target Attribute State (By 2033)	
Dissolved oxygen (mg/L)	Mātāwai Conservation Area	B Band	7-day mean minimum >7.0 and <8.0 1-day minimum >5.0 and <7.5	B Band	7-day mean minimum >7.0 1-day minimum >5.0	Occasional minor stress on sensitve organisms caused by short periods (a few hours each day) of lower dissolved oxygen. Risk of reduced abundance of sensitive fish and macroinvertebrate species.	Maintain Current State		Ecosystem health Trout fishing Mahinga kai
Rapid Habitat Assessment (score out of 100)	Mātāwai Conservation Area Upper Mōtū Trib at Mangatu	N/A	>80 and <90	N/A	>80	High	Maintain Current State		Natural Form and Character Ecosystem Health Trout Fishing Mahinga Kai
	Whakarau Trib at Whakarau Road		>40 and <50		>60	Moderate	By 2038 Refer Action Plan		
	Marumoko Stream at Marumoko Road		>70 and <80		>70	High	Maintain Current State		

Figure DF2.10 Te Wai o Ngahere FMU Baseline States and Target Attribute State

(Insert Heading) DF2.4 Upper Mōtū Catchment Plan Specific Policies and Rules

(Insert Heading) DF2.4.1 Water Quantity and Allocation Policy

Policy – Mōtū – P1 Avoid the impacts of any water take on identified cultural values of mana whenua including mahinga kai and the habitats of culturally significant species such as tuna; by

1. Not allowing water takes for other than Permitted Activities when the mainstem Mōtū and Koranga Rivers fall below median flow.

Policy – Mōtū – P2 Only allow the take of water where:

1. The take will ensure that sufficient flow for large long-fin eel/tuna; and
2. To the extent that is consistent with clause 1:
    a. The take will ensure that there is sufficient flow for mature brown trout;
    b. The take will not impact the rate and success of spawning of trout in spawning streams.

Policy – Mōtū – P3 Where the take of water is from a waterbody not meeting the target atrribute states in **Tables DF2.2.3 and DP2.3.3**, consider the impact of the take on the ability of the waterbody to dilutle existing contaminants:

Policy – Mōtū – P4 Enable the take of water for reticulated stock drinking water supply where it will reduce the need for stock to access waterways

Advisory Note: These policies are in addition to Policy C6.1.1 (15) of the Tairāwhiti Resource Management Plan.

(Insert Heading) Rule Table DF2.4.2

Rule Number	Rule	Status	Permitted Activity Standards, Matters for Control or Discretion
DF2.4.2.1	The take and use of surface or groundwater in the Upper Mōtū Catchment Plan - Farmlands and Settlements FMU not provided for as a Permitted Activity in Rule Table C6.1.2, provided that: 1. The take and use is not for for the purposes of irrigation of dairy farm land; and 2. Minimum flow requirements and allocation limits as set out in Section DF2.5, Figure DF2.9 are complied with; and 3. The maximum rate of take is 10 litres/second; and 4. The water take is not from or within 100m of	Restricted Discretionary	a. Effects of water abstraction on trout and long-fin eel/tuna populations, including spawning areas; b. Effects of water abstraction on water quality including dilution effects; c. Effects on cultural values of mana whenua; d. Methods of fish screening; e. Proposed location of the water take; f. Ensuring that no one water take/water user is allocated the entire allocation of water available from any one water source; g. The rate, volume and timing of the proposed take including daily, weekly, monthly and annual limits;

	a natural inland wetland. **Advisory Notes:** 1. For the Upper Mōtū Catchment Plan Area this rule replaces Rule 6.1.2 (5,6 and 7) of the general regional water take provisions of the Tairāwhiti Resource Management Plan. 2. In relation to Irrigation of dairy farm land this rule replaces Clause 20 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020.		h. In-stream flow requirements where these require rate, volume or timing restrictions; i. In-stream flow requirements where these require abstraction to cease; j. The effects of the proposed take and use on the quantity and quality of all water resources, including wetlands, that may be affected by the proposed activity; k. The effects the proposed take or use would have on any other authorised takes and use; and l. Water storage requirements.
DF2.4.2.2	The taking and use of surface or groundwater in the Upper Mōtū Catchment Plan area not provided for not provided for as a Permitted Activity in Rule Table C6.1.2 or as a Restricted Discretionary Activity under Rule DF2.4.2.1 **Advisory Notes:** 1. For the Upper Mōtū Catchment Plan Area this rule replaces Rule 6.1.2 (9 and 10) of the general regional water take provisions of the Tairāwhiti Resource Management Plan. 2. In relation to Irrigation of dairy farm land this rule replaces Clause 21 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020. 3. For the avoidance of doubt, taking and use of water other than for	Non-complying Activity	

	Permitted Activities is a Non-complying Activity in Te Wai o Ngahere FMU.		

(Insert Heading) DF2.4.3 Water Quality and Discharges Policy

Policy – Mōtū – P5 Recognise that land conversion and intensification can have a significant impact on water quality.

Policy – Mōtū – P6 Within the Mōtū Catchment Plan area, land conversions that could lead to increased nutrients, E.coli or sediment reaching waterbodies should be avoided.

Policy – Mōtū – P7 Avoid new intensive farming activities which could further degrade water quality. For the purposes of this policy, intensive farming activities include:

a. Feedlots, stockholding facilities, dairy farms, irrigation of crops or pasture for animals, except where an activity can demonstrate that no increase in levels of nutrients or bacteria beyond 2020 levels will occur in any river or groundwater as a result of the activity; and
b. Dairy support and intensive winter grazing except where this is established with substantial riparian buffers from all waterbodies and in compliance with a Certified Freshwater Farm Plan; and
c. The application of nitrogenous fertiliser at rates of more than:
    i. 190 kgN/ha/year and;
    ii. 50kg N/ha per application or 50 kg/N/ha within any 2 month period
d. The application of phosphate fertiliser at rates of more than 50 kgP/ha per application or 50 kgP/ha within any 2 month period.

Policy – Mōtū – P8 Recognise that the limits and targets in the Upper Mōtū Catchment – Farmlands and Settlements FMU identify that water quality in the Upper Mōtū River and Matawai Stream is degraded in relation to multiple water quality attributes including:

a. E.coli; and
b. Suspended Fine Sediment; and
c. Fish; and
d. Macroinvertebrates; and
e. Deposited Fine Sediment; and
f. Dissolved Reactive Phosphorus.

Advisory Note: Policies C6.2.2. (6) and C6.2.2 (7) in the TRMP are specifically relevant to any resource consents for discharges within the Upper Mōtū Catchment – Farmlands and Settlements FMU as the Upper Mōtū River and Matawai Stream have both been identified as degraded waterbodies.

(Insert Heading) Rule Table DF2.4.4

Rule Number	Rule	Status	Permitted Activity Standards, Matters for Control or Discretion
DF2.4.4.1	The use of land in the Upper Mōtū Catchment - Farmlands and Settlements FMU as Dairy Support Land and associated discharge of contaminants. **Advisory Note:** This Rule replaces Clause 22 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020.	Permitted Activity	1. On a paddock used for dairy support land all livestock must be excluded by 1 July 2026 from at least:

			a. 10 m away from the top of the bank of the Mōtū River; the Koranga, Karekare, Moanui, Matawai, Murray, Whakapaupakahi, Moutohora and Waiwhero Streams; and any Regionally Significant Wetland; and b. 5m from the bed of any other river, lake, natural inland wetland, or drain (regardless of whether there is any water in it at the time);
DF2.4.4.2	The use of land as dairy support land and associated discharge of contaminants where: 1. This is in the Upper Mōtū Catchment - Farmlands and Settlements FMU and does not meet the Permitted Activity Standards in DF2.4.4.1;or 2. This is in the Upper Mōtū Catchment - Te Wai o Ngahere FMU . **Advisory Note:** This Rule replaces Clause 23 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020.	Discretionary Activity	
DF2.4.4.3	The use of land for the expansion of Intensive Winter Grazing beyond the area of the farm that was grazed at any time in the 5 years prior to 1 December 2023 and associated discharge of contaminants in the Mōtū Catchment – Farmlands and Settlements FMU.	Discretionary Activity	

	Provided That: 1. The farm has a Certified Freshwater Farm Plan that applies to the Intensive Winter Grazing; and 2. At all times, the area of the farm that is used for Intensive Winter Grazing must be no greater than 50 ha or 10% of the area of the farm, whichever is greater; and 3. The mean slope of a paddock that is used for Intensive Winter Grazing must be 10 degrees or less, determined by measuring the slope over any 20m distance of the land; and 4. On a paddock that is used for Intensive Winter Grazing,—		

	a. Any critical source area must not be grazed; and b. Vegetation must be maintained as ground cover over all of any critical source area and this must not be any cultivation or harvesting of forage crops; and c. All reasonably practical steps must be undertaken to minimise freshwater impacts of any pugging that occurs on the land; and d. Livestock must be kept at least: i. 10 m away from the Mōtū River, and the Koranga, Karekare, Moanui, Matawai, Murray, Whakapaupakahi, Moutohora and Waiwhero Streams and any Regionally Significant Wetland; and ii. 5m from bed of any other river, lake, wetland, or drain (regardless of whether there is any water in it at the time); and e. The land that is used for Intensive Winter Grazing must be replanted as soon as practicable after livestock have grazed the land's annual forage crop. **Advisory Note:** 1. For Winter Intensive Grazing established prior to 1 December 2023 the Tairāwhiti Resource		

	Management Plan Rule 6.2.9 (5) applies; 2. This Rule replaces Clause 30 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020		
DF2.4.4.4	The application of nitrogen and phosphorus fertilser to land at rates of more than: 1.190 kgN/ha/year; or 2.50kg N/ha per application; or 3.50kg N/ha within in any 2 month period; or 4. 50 kgP/ha per application; or 5.50 kgP/ha within any 2 month period	Discretionary Activity	
DF2.4.4.5	The conversion of land to Dairy Farm Land within the Upper Mōtū Catchment Plan area and any discharge of contaminants into or onto land resulting from the conversion. **Advisory Note:** This Rule replaces Clauses 18 and 19 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020.	Non – complying Activity	
DF2.4.4.6	The use of land for the expansion of intensive winter grazing not meeting Rule DF2.4.4.3 **Advisory Note:** For the avoidance of doubt all use of land for the expansion of winter intensive grazing in the Te Wai o Ngahere FMU is a Non-complying Activity	Non – complying Activity	

(Insert Heading) DF2.4.5 Activities in the Beds of Rivers and Lakes Policy

Policy – Mōtū – P9 Recognise the very high natural and cultural values and important tuna and trout fisheries of the Mōtū and Koranga Rivers and the directives in the Mōtū Water Conservation Order around damming and diversion of these waterbodies by:

a. Prohibiting the permanent damming of the Mōtū River mainstem; and

b. Allowing for temporary diversion or damming of the Mōtū River and Koranga Stream mainstem only when this is undertaken outside of trout spawning and tuna migration periods; and
c. Only allowing for damming and/or permanent diversion of permanently flowing tributary streams in the Upper Mōtū Catchment Plan area:
    i. That are outside the area where the Mōtū River Water Conservation Order applies; and
    ii. That are not trout spawning streams; and
    iii. Where identified cultural values of mana whenua are not adversely affected; o where native fish passage is maintained; and
    iv. Where are no technically feasible locations for the activity outside of the bed of a permanently flowing stream.

Advisory Note: This policy is in addition to the policies in Section 6.3.12 Damming and Diversion in the Tairāwhiti Resource Management Plan

Policy – Mōtū – P10 Recognise that removing of material from the bed or banks of the mainstem Mōtū or Koranga Rivers is likely to exacerbate existing erosion problems. Removal of material from the bed or banks of these rivers should only be undertaken where a geomorphological assessment indicates the proposed removal will not increase rates of erosion of the banks or bed of the river.

Policy – Mōtū – P11 Support the reintroduction of native fish species into the Upper Mōtū Catchment by providing for the construction of weirs which exclude exotic fish species as part of any native fish reintroduction project.

Policy – Mōtū – P12 Using non-regulatory methods, support the permanent stock exclusion of stock from riparian margins of the Mōtū and Koranga Rivers and their tributaries by providing buffers and riparian planting sufficient to:
a. Reduce riverbank erosion and increase shading over the waterbody; while also
b. Retaining angler access for trout fishing at public access points.

Policy – Mōtū – P13 Using non-regulatory methods, support the upgrading of stock crossings over the Mōtū and Koranga Rivers and their tributaries to minimise stock access as a key method to reduce E.coli and sediment losses to freshwater within the Mōtū Catchment Plan area.

Policy – Mōtū – P14 Enable targeted recovery work along the riparian margin where it:
a. naturalises the channel morphology,
b. reduces streambank erosion, and
c. supports freshwater biodiversity

Policy – Mōtū – P15 Restore the riparian environment in modified areas through planting and use of soft engineering methods as a preferred method for erosion protection.

Policy – Mōtū – P16 Minimise any further straightening or relocation of the rivers and streams.

Policy – Mōtū – P17 Where existing river crossings and access structures are protected from erosion, soft engineering methods for erosion protection is preferred where possible.

(Insert Heading) Rule Table DF2.4.6

Rule Number	Rule	Status	Permitted Activity Standards, Matters for Control or Discretion

DF2.4.6.1	The extraction of gravel and rock from the bed of the Upper Mōtū River mainstem or the Upper Koranga River mainstem. **Advisory Note:** This replaces Rule 6.3.10 (1) of the Tairāwhiti Resource Management Plan which allows for a Permitted level of gravel abstraction in relation to the mainstem Mōtū and Koranga Rivers. Where gravel extraction is undertaken other than from the maintstem Mōtū and Koranga Rivers, Rule 6.3.10 (1) of the TRMP still applies.	Discretionary Activity	
DF2.6.2	The permanent damming of the Upper Mōtū River mainstem. **Advisory Note:** 1. This rule applies to the length of the Upper Mōtū River and replaces Rule 6.3.13 (4) and 6.3.13 (5) of the Tairāwhiti Resource Management Plan in relation to damming activity. Rules 6 .3.13 (4) and 6.3.13 (5) in relation to diversion or drainage activity will continue to apply. 2. This rule is in relation to permanent damming of the river. The construction of a weir is not the same as a dam, and any application to construct a weir should be considered under the general regional rules of the Tairāwhiti Resource Management Plan.	Prohibited Activity	

(Insert Heading) DF2.5 Environmental Flows and Take Limits for the Upper Mōtū Catchment Plan Area

Minimum Flow for Consented Freshwater Takes	Monitoring Location for Flow Limit	Maximum Allocation Volume
940 litres/second	Mōtū River at Kotare Station	150 litres/second in the Farmlands and Settlements FMU No allocation (Permitted Takes only) within the Te Wai o Ngahere FMU
Median calculated flow	Koranga River at Koranga Road	30% of the calculated MALF in the Farmlands and Settlements FMU No allocation (Permitted Takes only) within the Te Wai o Ngahere FMU

Figure DF2.11 Environmental Flows and Take Limits for the Upper Mōtū Catchment Plan Area

(Insert Heading) DF2.6 Monitoring Progress and Assessing Trends

Water quality and quantity, aquatic ecosystem health and cultural health monitoring will be undertaken by the Gisborne District Council at the sites identified in this catchment plan. Mātauranga monitoring will be undertaken by iwi and hapū at sites to be identified by the relevant iwi and hapū.

This will be reported on as part of the wider water quality and quantity reporting undertaken by the Council to meet Section 3.29 freshwater accounting requirements of the NPSFM 2020 and as part of its State of the Environment Reporting.

(Insert Heading) DF2.6.1 Attributes to be Monitored

The key attributes which will be a focus for monitoring progress in the Ipper Mōtū Catchment Plan area are:

a. Deposited Fine Sediment
b. Suspended Fine Sediment
c. E.coli
d. Periphyton (including Phormidium cyanobacteria)
e. Dissolved Reactive Phosphorus
f. Aquatic ecosystem health attributes – MCI and QMCI
g. Fish

Principal methods for monitoring progress towards achieving target attribute states and environmental outcomes will be through the State of Environment water quality, aquatic ecosystem health and hydrology programmes undertaken by the Gisborne District Council.

This programme will involve:

1. Monthly water quality monitoring of sites identified in this catchment plan for the following attributes:
    a. periphyton
    b. ammonia
    c. nitrate
    d. suspended fine sediment
    e. E. coli
    f. dissolved reactive phosphorus

   g. total nitrogen
   h. dissolved inorganic nitrogen
2. Annual aquatic ecosystem monitoring will be undertaken at the sites identified in this catchment plan for the following attributes:
   a. Macroinvertebrates (MCI, QMCI, ASPM)
   b. Deposited fine sediment
   c. Ecosystem metabolism
   d. Dissolved oxygen
3. Three yearly monitoring will be undertaken at the sites identified in this catchment plan for the following attributes:
   a. Fish
4. Cultural /mātauranga monitoring through active involvement of mana whenua in accordance with protocols and methods developed at a catchment and/or regional level as appropriate.

(Insert Heading) DF2.6.2 Responding to degradation

Statistically significant trends in relation to degradation or improvement will be identified using a rolling 5 year assessment of the previous 5 year median and 95th Percentile State of Environment Monitoring Data compared with the baseline attribute state as set out in this Catchment Plan.

Both statistically significant trends of movement within bands and movement across bands will be identified. Where an attribute moves to a lower band this will be considered to be a degradation of values – a declining trend within a band is indication that action must be taken.

As part of implementing the wider Tairāwhiti Freshwater programme, a 5 yearly review of the Action Plan of this catchment plan will be undertaken with an assessment against the water quality trends.

If current degrading trends are not halted by the time of the first 5 year assessment and review (2029) then the Council will consider whether additional regulation may be required to ensure that the targets to halt and turn around degradation are met.

If new degrading trends are identified, then the causes of these will be investigated. If the trends are identified as being caused by land use or water management practices within the catchment, that are not sufficiently regulated, then additional regulation will be introduced through a Plan Change.

(Insert Heading) DF2.7 Upper Mōtū Catchment Action Plan

(Insert Heading) DF2.7.1 Introduction

The National Policy Statement for Freshwater Management requires an Action Plan where an FMU or part of an FMU is degraded or degrading. The Upper Mōtū River and the Matawai Stream within the Farmlands and Settlement FMU are identified as degrading. In addition an Action Plan is required for specific National Objective Framework (NOF) Attributes in Appendix 2B. This Action Plan covers both those circumstances and also outlines some of the Methods to achieve the target attribute states for NOF Attributes in Appendix 2B.

(Insert Heading) DF2.7.2 Action Plan

Action	Timeframe	Detail	Target Attribute State this Action is aimed at Achieving	Environmental Outcome this Action supports	How Effectiveness will be Assessed

MAP 1 Develop an Erosion Management Plan for the Upper Mōtū River mainstem	**By Dec 2024**	Using geomorphological principles, develop a reach by reach erosion management plan for the Mōtū River banks and bed that : • responds to variations in bank erosion; and • helps target erosion control measures to priority sections of the river	Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character	Completion of study Availability of reach by reach specific erosion management guidance
MAP 2 Ensure Best Practice Cropping and Breakfeeding Practices in place across the catchment	**By Dec 2024**		E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Farming and Production	Annual winter audit of compliance with breakfeeding and cropping practices 3 yearly evaluation of SOE water quality monitoring data
MAP 3 Identify and map wetlands within the Mōtū	**By Dec 2026**	Council to ground truth the preliminary modelling work and identify and map all	Fish Index of Biotic Integrity is in the C Band by 2033	Ecosystem health Natural Form and Character Mahinga Kai Threatened species	Completion of ground truthing and publication of maps

Catchment Plan area		wetlands within the Mōtū Catchment Plan area.			
MAP 4 Stock exclusion from the mainstem Mōtū and Koranga Rivers with minimum 5m setbacks for new fences (10m setbacks required where intensive farming use)	**By Dec 2027**	Non-regulatory project supporting the existing catchment group to work with landowners to exclude stock from the mainstem of both rivers, including supporting the upgrading of stock-crossings. As new fences are constructed ensure minimum 5m setbacks from the riverbank (10m where intensive farming use)– or greater setbacks where identified in the Erosion Management Plan.	E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 QMCI and MCI are in the B Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site in the Farmlands and Settlements FMU reaches the B Band by 2033 Dissolved Reactive Phosphorus at	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Farming and production	Annual stock exclusion audit 3 yearly evaluation of SOE water quality monitoring data

			the Kotare Station Bridge in the Farmlands and Settlements FMU reaches the C Band by 2033 E.coli at Primary Contact sites is in the Fair Grading by 2043.		
MAP 5 Plant riparian areas with native plants in priority areas along the mainstem Mōtū and Koranga Rivers	**By Dec 2027**	While all riparian planting is good, the Erosion Management Plan is expected to identify top priorities for planting on the Mōtū Riverbanks where the quickest benefits will be felt in terms of sediment control. Non-regulatory project supporting the existing catchment groups to work with landowners to undertake riparian planting,	Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 QMCI and MCI are in the B Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site in the Farmlands and Settlements FMU reaches the B Band by 2033 Dissolved Reactive	Ecosystem health Threatened species Trout fishing Mahinga kai Natural form and character	Annual visual assessment 3 yearly evaluation of SOE water quality monitoring, aquatic ecosystem health monitoring and river habitat assessment data

			Phosphorus at the Kotare Station Bridge in the Farmlands and Settlements FMU reaches the C Band by 2033		
MAP 6 Develop and implement a water quality improvement plan for the Matawai Stream	**Plan to be developed by Dec 2024. Implementation of priority measures by Dec 2027.**	Identifying the key sources of contaminants, developing and implementing a plan to turn around degradation and improve water quality.	Matawai Stream water quality monitoring sites are: • In the A band for Ammonia toxicity by 2033 • Have a visual clarity of 0.8m by 2033 ad 0.85m by 2043 • In the D band by 2033 and the C band by 2043 for E.coli • In the B band for QMCI and MCI by 2038 • In the B band for ASPM by 2038 • In the C Band for deposited fine sediment by 2038	Ecosystem health Trout fishing Mahinga kai Farming and Production	Completion of Plan. Review of implementation of plan 2027 3 yearly evaluation of SOE water quality and aquatic ecosystem health monitoring data

			• In the B Band for Dissolved Oxygen by 2038 • Have ecosystem metabilism <8.0 by 2033		
MAP 7 Stock exclusion from priority wetlands	**Identify priority wetlands by Dec 2024. Stock excluded by Dec 2030**	NES Stock exclusion requirements apply Non-regulatory project supporting the existing catchment group to work with landowners to exclude speed up stock exclusion from priority wetlands.	QMCI and MCI are in the B Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site in the Farmlands and Settlements FMU reaches the B Band by 2033	Threatened species Ecosystem Health Mahinga Kai Natural Form and Character	Annual stock exclusion audit
MAP 8 Resource Consent Review	**By Dec 2026**	Review the resource consents for discharges of key contaminants (E.coli and sediment) to ensure that discharges of these contaminants will not further degrade the water quality.	E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the	Ecosystem health Trout fishing Mahinga kai Farming and Production Commercial and Industrial Use	Resource consent review completed. 3 yearly evaluation of SOE water quality and aquatic ecosystem health monitoring data

			Farmlands and Settlements FMU is in the C band by 2033 Matawai Stream water quality monitoring sites are: • In the A band for Ammonia toxicity by 2033 • Have a visual clarity of 0.8m by 2033 ad 0.85m by 2043 • In the D band by 2033 and the C band by 2043 for E.coli • In the B band for QMCI and MCI by 2038 • In the B band for ASPM by 2038 • In the C Band for deposited fine sediment by 2038 • In the B Band for Dissolved		

			Oxygen by 2038 • Have a ecosyte m metabol ism of <8.0 by 2033 • Have a Rapid Habitat Assessm ent Score of >60 by 2038		
MAP 9 Better point source manageme nt	**By Dec 2028**	Identify point sources as part of Freshwater Farm Planning. NES and TRMP Point Source Discharge Rules apply. Non-regulatory project supporting the existing catchment group to work with landowners to implement management and treatment of runoff from point sources such as tracks, races, stockyards, fertiliser storage areas and feedpads.	E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 Matawai Stream water quality monitoring sites are: • In the A band for Ammoni a toxicity by 2033 • Have a visual	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Farming and production	Completion of Freshwater Farm Plans for all farms 3 yearly evaluation of SOE water quality monitoring data

			clarity of 0.8m by 2033 ad 0.85m by 2043 • In the D band by 2033 and the C band by 2043 for E.coli • In the B band for QMCI and MCI by 2038 • In the B band for ASPM by 2038 • In the C Band for deposited fine sediment by 2038		
MAP 10 Periphyton and eutrophication study	**By Dec 2028**	Undertake a science study which looks at the drivers of periphyton growth within the Mōtū Catchment, the prevalence of Phormidium cyanobacteria and whether the measures in this catchment plan are effective at addressing these. Implement the recommendati	Dissolved oxygen is in the B band for the Mātāwai Stream by 2038 DRP is in the C Band at all monitoring sites in the Farmlands and Settlements FMU by 2038.	Ecosystem health Trout fishing Mahinga kai Natural form and character	Study completed and action plan amended to include recommendations

		ons of this study as further actions during the review of this Action Plan.			
MAP 11 Stockwater reticulation to support increased stock exclusion from streams and wetlands	**By Dec 2033**	Non-regulatory project supporting the existing catchment group to work with landowners to develop reticulated stockwater systems to support increased stock exclusion from streams and wetlands.	E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 QMCI and MCI are in the B Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site in the Farmlands and Settlements FMU reaches the B Band by 2033 Dissolved Reactive	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Farming and production	Annual stock exclusion survey 3 yearly evaluation of SOE water quality monitoring data

			Phosphorus at the Kotare Station Bridge in the Farmlands and Settlements FMU reaches the C Band by 2033 E.coli at Primary Contact sites is in the Fair Grading by 2043.		
MAP 12 Stock exclusion from priority tributary streams	**By Dec 2033**	In conjunction with stakeholders identify priority tributary streams and support the catchment group to work with landowners to exclude stock from these streams.	E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 QMCI and MCI are in the B Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Farming and production	Annual stock exclusion survey 3 yearly evaluation of SOE water quality monitoring data

			in the Farmlands and Settlements FMU reaches the B Band by 2033 Dissolved Reactive Phosphorus at the Kotare Station Bridge in the Farmlands and Settlements FMU reaches the C Band by 2033 E.coli at Primary Contact sites is in the Fair Grading by 2043. Rapid Habitat Assessment is >60 at the Whakarau Trib at Whakarau Road by 2038		
MAP 13 Upgrade stock crossings on priority tributary streams	**By Dec 2035**	In conjunction with stakeholders identify priority tributary streams and support the catchment group to work with landowners to upgrade stock crossings over these streams.	E.coli is in the C band by 2043 at all sites in the Farmlands and Settlements FMU Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043 Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 QMCI and MCI are in the B	Ecosystem health Trout fishing Mahinga kai Human contact Natural form and character Farming and production	Annual stock-crossing survey 3 yearly evaluation of SOE water quality monitoring data

			Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site in the Farmlands and Settlements FMU reaches the B Band by 2033 Dissolved Reactive Phosphorus at the Kotare Station Bridge in the Farmlands and Settlements FMU reaches the C Band by 2033 E.coli at Primary Contact sites is in the Fair Grading by 2043.		
MAP 14 Restoration of priority natural inland wetlands	**By Dec 2035**	Support the catchment group to work with landowners to restore priority wetlands within the catchment.	Fish Index of Biotic Integrity is in the C Band by 2033	Ecosystem health Natural Form and Character Mahinga Kai Threatened species	3 yearly assessment of progress
MAP 15 Plant remainder of the riparian areas along the	**By Dec 2035**	Non-regulatory project supporting the existing catchment groups to work with	Visual clarity of 0.85m at all sites in the Farmlands and Settlements FMU by 2043	Ecosystem health Threatened species Trout fishing Mahinga kai	3 yearly assessment of progress

mainstem Mōtū and Koranga Rivers and along priority tributary streams		landowners to undertake riparian planting.	Deposited Sediment at the Kotare Station Bridge in the Farmlands and Settlements FMU is in the C band by 2033 QMCI and MCI are in the B Band at all monitoring sites on the Mōtū River by 2033. Sites on the Koranga River stay in the B Band, in the Farmlands and Settlements FMU. ASPM for the Mōtū River above Falls site in the Farmlands and Settlements FMU reaches the B Band by 2033 Dissolved Reactive Phosphorus at the Kotare Station Bridge in the Farmlands and Settlements FMU reaches the C Band by 2033	Natural form and character	
MAP 16 Restocking native fish populations	**By Dec 2035**	Develop and implement a plan to restock native fish missing in the catchment. This could involve for example, relocating fish such as bullies	Fish Index of Biotic Integrity is in the C Band by 2033	Ecosystem health Threatened species	Plan developed Implementation of plan assessed as part of Action Plan reviews.

		from the base of the Mōtū Falls to a protected area within the Matawai Conservation Area, or suitable habitat in tributary streams of the Mōtū on farms.			

(Insert Heading) DF2.7.3 Other Actions

These are actions that would benefit the health of the two Awa but for which no timeframe is set.

Action	**Environmental Outcome this Action Supports**	**Detail**
MOA 1 Field Days, and Workshops	All	Work with Beef and Lamb, Dairy NZ and Deer NZ to support local catchment groups hold regular field days and workshops to look at farming best practice and how to reduce impacts on freshwater values.
MOA 2 Wānanga around mahinga kai practices and mātauranga/ cultural monitoring	Mahinga kai, ecosystem health, cultural values	Work with local iwi, Matawai Marae and Eastern Whio Link to undertake wānanga around mahinga kai practices and cultural health /mātauranga monitoring of the Awa.
MOA 3 Community monitoring, including on farm monitoring	All	Support local catchment groups to work with landowners and schools to undertake on farm and community monitoring of the awa.
MOA 4 Expand use of freshwater farm plans	All	Work with Beef and Lamb, Dairy NZ and Deer NZ to support all farmers within the catchment to develop Freshwater Farm Plans.
MOA 5 Installation of toilet facilities along the Mōtū Trails	E.coli, Mahinga Kai, cultural values	Work with Mōtū Trails Trust to ensure that adequate toilet facilities are provided in appropriate locations on the trails.
MOA 6 Investigation and remedial work at Matawai Landfill	Ammonia, ecosystem health, mahinga kai, trout fishing	Investigate water quality discharge from Matawai Landfill. If water is highly contaminated, undertake remedial work to reduce the size/impact of the discharge
MOA 7 Installation of a stock truck effluent holding tank	E.coli, mahinga kai, nutrients	Establishment of parking bay and effluent disposal tank along SH 2. Aim to help prevent illegal dumping of waste along roadside.

MOA 8 Weed management riparian areas	Threatened species, Ecosystem health	Target weed species that are present in the Farmlands and Settlements FMU and are spreading downstream into the ngahere and protected areas. This includes Japanese Walnut, Montbretia and Strawberry tree as well as weedy willows such as crack and golden willow.
MOA 9 Improvement of On site Wastewater Systems	E.coli, mahinga kai, nutrients	Support landowners to upgrade on-site wastewater systems within the Matawai and Mōtū townships. Tairāwhiti Resource Management Plan Rules apply.

E1 Māori Terms and Concepts

Term	Definition
Awa	River, stream
Hapū	Sub-tribe
Kai	Food
Mahinga kai	Food gathering area
Puna	Spring
Roto	Lake, wetland
Te Wai o Ngāhere	Water of the forest
Wai	water
Wai tapu	Sacred water

E6 Definitions

Term	Definition
Soft engineering	Is the management of a river using natural materials and mimicking natural processes to protect more vulnerable areas.

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

Section 32 Evaluation Report:

Requirements for preparing and publishing evaluation reports

Tairāwhiti Resource Management Plan

Plan Change 6: Upper Mōtū Catchment Plan

March 2024

This Section 32 Evaluation Report should be read in conjunction with Plan Change 6: Upper Mōtū Catchment Plan

Table of contents

Abbreviations

CMA	Coastal marine area
FMU	Freshwater Management Unit
NES	National Environmental Standard
NESCS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NESF	National Environmental Standards for Freshwater 2020
NESPF	National Environmental Standards for Plantation Forestry 2017
NESHDW	National Environmental Standard for Sources of Human Drinking Water 2007
NOF	National Objectives Framework
NPS	National Policy Statement
NPSFM	National Policy Statement for Freshwater Management 2020
NZCPS	New Zealand Coastal Policy Statement 2010
RPS	Regional Policy Statement
RMA	Resource Management Act 1991

1. Introduction

1.1. Purpose

1. Section 32 of the Resource Management Act 1991 (RMA) requires councils to prepare an evaluation report when proposing new plans or policy statements. The purpose of this report is to summarise and record the evaluation that Gisborne District Council (Council) has undertaken of Plan Change 6: Upper Mōtū Catchment Plan.
2. Section 32 requires that the objectives of the Upper Mōtū Catchment Plan are examined for their appropriateness in achieving the purpose of the RMA. The benefits, costs and risks of new provisions (primarily policies and methods) need to be clearly identified and assessed. This report documents the analysis under section 32 so stakeholders and decision-makers can understand the rationale for policy choices.
3. This Plan Change proposes changes to the part Operative Tairāwhiti Resource Management Plan (TRMP) in order to implement the National Policy Statement for Freshwater Management (NPS-FM) in relation to the Upper Mōtū Catchment area.
4. Plan Change 6: Upper Mōtū Catchment Plan addresses water quality and quantity issues for the Upper Mōtū catchment and introduces provisions specific to the catchment. Plan Change 6 applies to the Mōtū, Koranga, Opato and Pakihi catchments that fall within the Gisborne District.
5. The main outcome sought by this plan change is to improve the ecosystem health and water quality of the Mōtū River and its tributaries and to retain the high level of ecosystem health in the Koranga River and its tributaries.

1.2. Structure

6. This report has been structured as follows:

Part 1: Introduction

Part 2: Development and consultation

Part 3: Issues

Part 4: Chapter by chapter evaluation

Part 5: Planning context

Part 6: References

Part 7: Appendices

7. Part 4 contains the bulk of the report and has been split into subsections that mirror the structure of the Upper Mōtū Catchment Plan for ease of reference.

1.3. Background

8. The Upper Mōtū Catchment Plan area is situated in the Waioeka Range of Gisborne District and includes five catchments:
    - the Mōtū catchment (635 km²)
    - the Koranga catchment (201 km²)
    - the Opato catchment (22 km²)
    - the Te Pato catchment (10 km²)
    - the Pakihi catchment (18 km²).
9. These five catchments are the headwater areas of two larger catchments that flow into the Bay of Plenty: the Mōtū and the Waioeka-Otara.

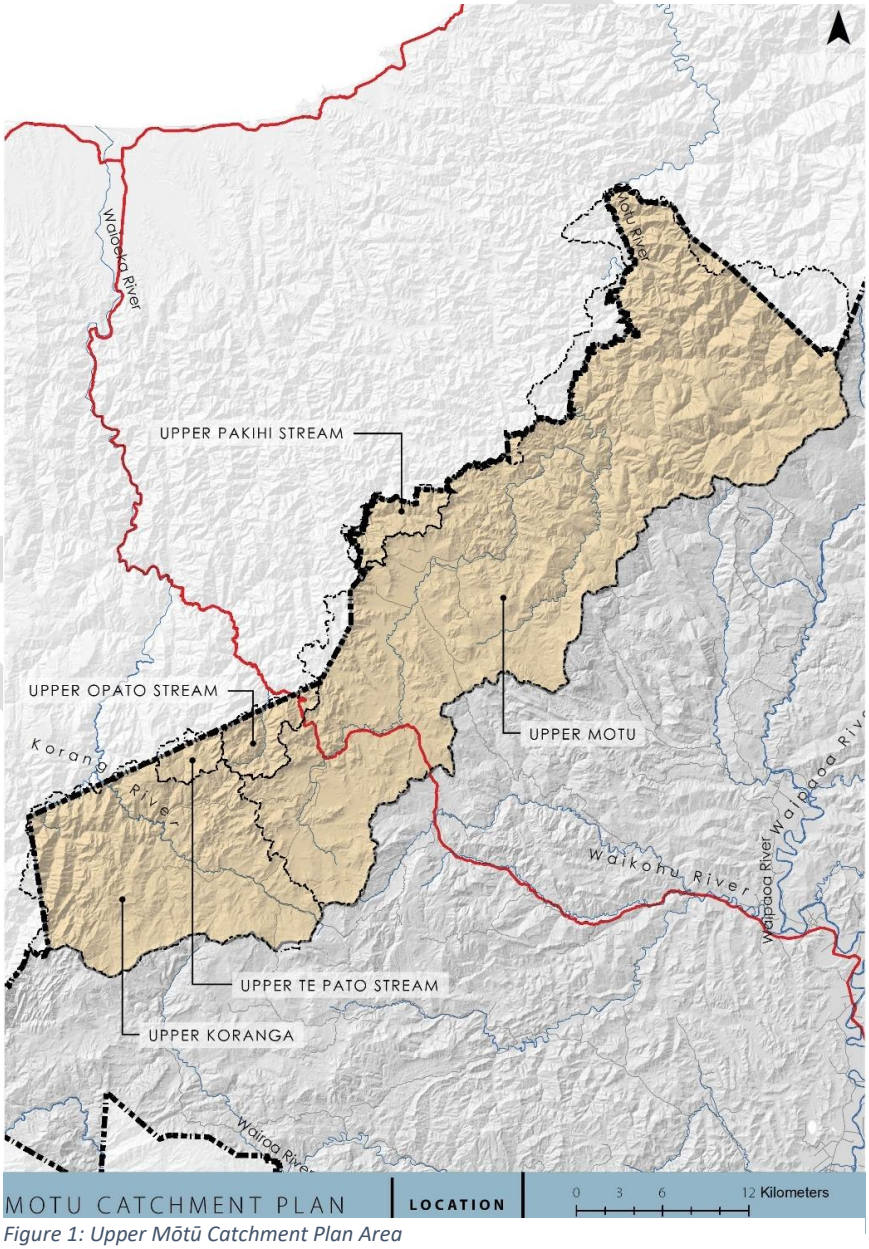


Figure 1: Upper Mōtū Catchment Plan Area

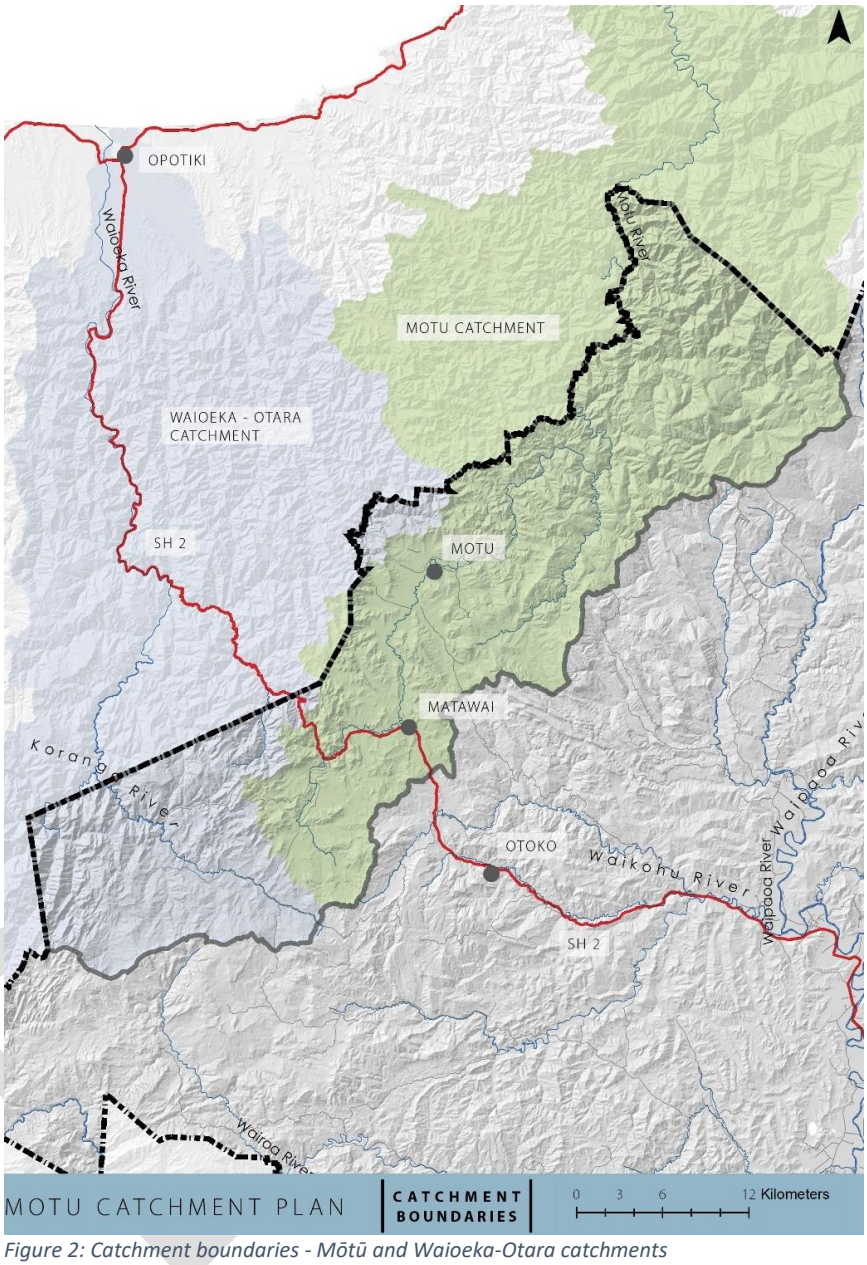


Figure 2: Catchment boundaries - Mōtū and Waioeka-Otara catchments

1.3.1. Biophysical Environment

Upper Mōtū River Catchment

10. The Mōtū River lies to the west of the Raukumara Range and flows northwards to the Bay of Plenty. Its total catchment area is 1373 km3, and total river length is 147 km.

11. The Mōtū River begins in the Mātāwai Conservation Area and flows northwards through the Raukumara Range to the Bay of Plenty. A water conservation order

is in place for the river below the Mōtū Falls. This was the first river in New Zealand to gain such protection.

12. The geology of the Mōtū Catchment comprises Late Jurassic to Early Cretaceous Pahau Terrain, a hardened mudstone and sandstone of the basement Torlesse Supergroup that forms high, rugged hills, and Early Cretaceous sandstone and mudstone of the Mātāwai and Tinui Group, which are comparably softer and form rolling hills. The Mōtū Falls has formed over more resistant Karekare Formation rock with minor conglomerate.

13. Lithological variations in erosivity formed a knickpoint at Mo̅tu̅ Falls, a local base point that the river has adjusted to. When combined with differential uplift that is greater downstream, the river gradient has progressively reduced, decreasing the incisional capability of the stream, and creating the accommodation space.

14. Within this setting, glacial-interglacial cycles throughout the Quaternary initiated aggradation on the valley floor due to increased sedimentation and decreased stream power followed by incision that has formed up to five river terraces upstream and two downstream. The terraces rise up to 40 m above river level upstream, where local valley narrowing restricted sediment transport.

15. As the valley opens downstream, the height of river terraces reduces from 35 m to 15 m. The distribution of terraces is uneven and their persistence and erasure correlates to the width of the bedrock margin.

16. There are a number of significant wetlands within the catchment – most notably the headwater wetland at the Mātāwai Conservation Area, the Alcuin Wetland and the Mōtū Wetland, however there are a range of other small wetlands throughout the catchment.

17. During the course of developing the catchment plan, a desktop survey of potential wetlands was undertaken. This showed that there are 714 potential wetlands in the catchment plan area. Further work is required to ground truth these and determine their status under the NPSFM and NES-FW.

18. Major tributaries of the Upper Mōtū River within Gisborne District are the Mātāwai Stream, the Waiwhero Stream, Whakamaria Stream, the Kokopumatara Stream and the Waitangirua Stream.

19. The Mōtū Falls act as a major barrier to native fish, meaning that non migratory bullies, koura (freshwater crayfish) and eels are the main native fish species found in the upper Mōtū River. The river has a very diverse range of native freshwater invertebrates, with a number of rare species.

20. Below the Falls, the Mōtū River and its tributaries have a diverse range of threatened and at-risk native fish species, including koaro, short jaw kokopu, torrentfish, bluegill and redfin bully.

21. The Mōtū River and the Mangaotane Stream are also key habitats for Hochstetter's Frog and Blue Duck.

22. Landuses include areas of indigenous and exotic forest and a mixture of intensive and extensive agriculture. It is the only river in Gisborne District to be classified as an upland river.

Upper Opato Stream Catchment

23. A small part of the Opato Stream catchment is within the catchment plan area. The Opato Stream is a tributary of the upper Waioeka River and flows into the Bay of Plenty and is surrounded by forest.

24. The Opato Stream is known for its clear water and its reasonable population of rainbow and brown trout. The stream is located within the Waioeka Gorge Scenic Reserve and is managed as part of the DOC Estate.

Upper Pakihi Stream Catchment

25. A small part of the Pakihi Stream catchment is within the catchment plan area. The stream flows into Bay of Plenty Region, through the Raukumara Forest Park and eventually joins the Otara River.

26. The Pakihi Stream is also known for its very high water quality and population of trout. The Mōtū Trails Pakihi Track follows the stream through to the Bay of Plenty.

Upper Koranga River Catchment

27. The headwaters of the Koranga River, and its tributary the Moanui Stream are within the catchment plan area. The Koranga River flows through the farmed Koranga Valley towards the Bay of Plenty before meeting the Moanui Stream and traversing the Waioeka Gorge Scenic Reserve.

28. The Koranga River is an important headwater tributary to the Waioeka River. The Koranga River is well known as a high value trout fishery for anglers, as well as a popular area for walkers. There are a number of wetlands within the catchment.

1.3.2. Water Quality of the Upper Mōtū Catchment Plan Area

The effects of historical and contemporary landuses

29. Over the last 160 years, the Upper Mōtū Catchment Plan area has been dramatically modified by major deforestation that has caused erosion and the subsequent loss of sediment into waterways. Due to the high phosphate bearing rocks in the catchment, this has led to very high levels of dissolved reactive phosphorus (DRP) in the waterways.

30. Unrestricted stock access in pastoral farmed areas has resulted in very elevated levels of E.coli in the waterways. Stock access and runoff from pastoral farms has also increased nitrogen levels above the background, although only to moderate levels. Combined with the very high DRP and the near total absence of riparian vegetation cover, this has led to periphyton blooms, and in particular blooms of the sometimes-toxic alga Phormidium.

Environmental monitoring

31. Gisborne District Council has four sites in the catchment area where monthly State of the Environment (SOE) water quality monitoring is undertaken. This involves a monthly collection of water quality samples using a standard methodology.

32. These sites, plus five others in the catchment area, are also annual biomonitoring sites. Biomonitoring sites are visited annually in summer. A field assessment of the habitat quality, the amount of periphyton, types of algae and the number and types of macroinvertebrates (freshwater insects) are recorded.

33. In addition to the Council sites, there are five biomonitoring sites that are monitored as part of the Mōtū Catchment Project with 2 years of annual

monitoring data for these sites. An analysis of the monthly water quality monitoring data for 2015-2020 is shown in **Appendix 1**. This includes a comparison with the water quality measures in the NPS-FM NOF. **Appendix 2** explains the water quality attributes in Appendix 1.

Sediment

34. Key water quality trends:

- Deposited sediment is below the National Bottom Line at the Kotare Station Bridge and Mōtū Falls sites and at the Mātāwai Stream site with a deteriorating trend;
- Suspended sediment (clarity) is below the National Bottom Line at all sites;
- Phosphate is below the National Bottom Line at Kotare Station Bridge with a deteriorating trend;
- Phosphate has a deteriorating trend at Mātāwai Stream;

35. Because Phosphate generally adheres to sediment, and the Upper Mōtū Catchment Plan Area has naturally high rates of phosphate in its soils, management of this issue is considered as part of management of the sediment.

36. An assessment of the source of sediment within the Mōtū was undertaken by (Vale, Smith, & Marden, 2021) and identified that the channel banks are contributing 95% of the sediment within the channel and 96% of the flood sediment. There was negligible evidence of hillslope failures and mass movement. The similar proportion of channel bank sediment within the channel and within flood deposits indicated that the source of erosion is consistent between low and high flows.

37. The dominant sediment source was considered to be channel bank sediment for both channel and flood sediment. Subsoil, greywacke bedrock and surface soils provided minor contributions. The report notes:

- The sediment fingerprinting results align with geomorphological understanding of the catchment where active bank erosion is widely observed, while there is negligible evidence of widespread mass movement or slope failures delivering sediment to the channel.
- Similar results between channel and flood sediment deposits suggests erosion process source contributions are relatively consistent between low and high flows.
- Erosion mitigation strategies should continue to target channel bank erosion to effectively reduce fine sediment loads in the catchment.

E. coli

38. E.coli levels at all monitored sites are in the E band for swimming under the NOF. The most downstream site on the Mōtū River (Mōtū above Falls) also has a deteriorating trend and the overall trend of E.coli is for substantially increasing E.coli levels between the upper and lower Mōtū River monitoring sites.

39. Faecal source tracking was undertaken by Institute of Environmental Science and Research in April 2021 at six sites across the catchment plan area (ESR Christchurch Science Centre, 2021). This found that at all sites the dominant faecal source was ruminant. However there is also a significant presence of avian bacteria at some sites, but no sites showed evidence of human contamination as a source. While some parts of the mainstem Mōtū River have

had stock exclusion (predominantly below Mātāwai), the majority of the catchment has unimpeded stock access to waterbodies.

40. Stock access to waterways and run off from paddocks is therefore the predominant source of the E.coli. Aside from the areas very recently fenced over the 2020 -2022 period along the mainstem Mōtū by the Mōtū Catchment Group[1], there is unrestricted stock access. Direct deposition presents the greatest risk to human health during low flow conditions, when recreational activities such as swimming are most likely. Overland flows occur during rain events and are likely to be the biggest contributor to E.coli on an annual average basis.

Aquatic Ecosystem Health

41. Many aspects of water quality in the Mōtū River are very good. The headwaters in the Matawai Conservation Area have among the best water quality and macroinvertebrate (freshwater insect) life in the Gisborne District. However, some of the water quality attributes deteriorate downstream and this ultimately affects the level of ecosystem health.

42. The deterioration of aquatic ecosystem health down the catchment can be easily tracked and compared to the reference site at the Mātāwai Conservation Area.

43. The Mōtū and Koranga Rivers and their main tributaries are located in a modified agricultural catchment. Riparian vegetation is comprised primarily of pasture grasses with introduced trees such as willows. There is some regenerating native cover over some tributary streams, but overall there is very limited shading over the rivers and tributaries. The removal of the original riparian vegetation has resulted in very poor bank stability, particularly in the Mōtū mainstem with erosion events occurring during both mid and high stream flows (McCord, 2022).

44. High levels of sediment are likely to be the major driver of the poor and declining values in relation to aquatic ecosystem health in some locations.

45. Macroinvertebrates are below the National Bottom Line for the QMCI measure at Mōtū Falls and Mātāwai Stream.

46. The only fish species found in the Upper Mōtū River above the falls are eels (long and short fin) and trout, but below the falls and in the Koranga River there are a wide range of native species found in, and aquatic ecosystem health is significantly better than in the Mōtū River above the falls.

47. Most native fish species are migratory, and the Mōtū Falls create a significant barrier. The absence of bullies and other species that would be expected to be present is attributed to an extinction event[2], with recolonisation not possible due to the barrier caused by the falls. Biological communities in streams are resilient to a point, but at some stage the increase in nutrients and sediments can result in a marked decline in ecosystem health. This is the concern particularly in the Upper Mōtū River where the decline in aquatic ecosystem health, and associated quality of the trout fishery, has been noted by the community. A 2009 investigation by NIWA (Ballantine & Davies-Colley, 2009) indicated that the river was close to a negative tipping point. The continuing degradation of river health since this time may reflect such a tipping point being reached.

[1] The Mōtū Catchment Group is a farmer led catchment group situated in the upper Mōtū Catchment between Opotiki and Gisborne.

[2] For example, Lake Tarawera eruption or a significant spike in water temperature.

48. Alongside the fish and insect life, periphyton blooms can also create problems at time in the Upper Mōtū River. The absence of riparian vegetation and abundance of stony bottomed habitat (with a layer of sediment) creates ideal circumstances for the potentially toxic alga Phormidium to bloom during low flows. This has become an increasingly common occurrence in large reaches of the river, including around the Mōtū township and near swimming holes used by local children.

49. The annual biomonitoring of the Koranga River would suggest that it is in reasonable health. However, there is no other water quality monitoring data for this river.

Nutrients

50. There is also a concern about increasing nutrient contamination. The pumice soils on the terraces with stony soils on slopes create high rates of leaching of nutrients.

51. While the elevated phosphate levels are generally considered to be linked to riverbank erosion, its abundance in the catchment means that it is very sensitive to increasing nitrogen availability.

52. Water quality trends indicate that phosphate levels are increasing and data has captured large spikes of ammonia, particularly in the lower reaches.

53. Parts of the catchment have recorded the largest degree of increasing intensification of stock grazing in the Gisborne District. Large-scale beef, intensive grazing on fodder crops and wintering of dairy stock is occurring.

54. In the Mātāwai Stream sub catchment where one of the dairy farms is located and dairy wintering is another dominant land use, nitrate and ammonia levels in particular are degrading. There is significant concern that the poor state of the stream has a proportionally large negative impact on the downstream receiving water quality in the Upper Mōtū River mainstem.

1.3.3. Water Quantity

55. Overall the main concern for the Upper Mōtū and Koranga Rivers is the low flows during summer which affect the ecosystem and aquatic health of the streams and mainstem rivers. The low flows, combined with the absence of riparian vegetation, contributes negatively to ecosystem health and results in periphyton blooms.

56. Analysis of the flow records for the catchment indicate that there has been a small but statistically significant reduction in flows in the Upper Mōtū River over the last 30 years. As there are no significant water takes, this is mainly attributed to changing rainfall patterns and climate change.

57. Water taken and used from the Koranga and Upper Mōtū Rivers and their tributaries by households and for stock water is a permitted activity and thus no resource consent is required. Therefore, there is no overall record of the volume of water currently taken and used for these purposes. It is unclear what effects these existing takes are having on the flow of streams and rivers, particularly during periods of low flow over the summer period.

58. There are two continuous flow records in the catchment – the NIWA site at Waitangirua Station, and the Council site at Kotare Station – both on the mainstem Upper Mōtū River. The NIWA recorder has been operating since 1987 and the GDC recorder since 2016, with monthly flow gaugings undertaken for the ten years prior to that.

59. The long flow record at Waitangirua indicates that there is an average of 12.6 flushing events per year.

60. Gisborne District Council does not have flow data for any other waterway within the catchment plan area.

Table 1: The flow summary statistics for the period 2007-2016 for the two sites

Flow summary statistics (m^3/s) for Mōtū River at Kotare station (2007-2016)					
Mean	**Median**	**7d-MALF**	**Upper Quartile**	**Lower Quartile**	**95%**
1.36	0.94	0.5	1.537	0.542	3.5
Flow summary statistics (m^3/s) for Mōtū River at Alcuin station (2007-2016)					
Mean	**Median**	**7d-MALF**	**Upper Quartile**	**Lower Quartile**	**95%**
NA	NA	0.7	NA	NA	NA

1.3.4. Economic Environment

61. The Upper Mōtū Catchment Plan area is mainly used for farming, and in particular grazing. There are two small settlements (Mōtū and Mātāwai) also located within the catchment. These are the locations of a small number of service businesses.

62. Prior to European settlement, the area was vegetated in mature forest of rimu, matai, kahikatea, and tawa. The township of Mōtū was founded in 1887, after which the land was progressively cleared of bush to make way for homes and dairy farms.

63. The area hosted a high volume of millable timber on flat land, leading to the establishment of sawmills throughout the district in the 1900's that continued to operate until the 1930's when milling became less economic. The flat land and rolling hills were cleared first, with the steeper, remote areas only accessible with the advent of the bulldozer.

64. The dominant land use within the catchment now is sheep and beef farming with some deer farming also undertaken. There are two dairy farms in the catchment plan area and several other farms provide dairy support for dairy farms in the Bay of Plenty.

65. The beef farming that is present is sometimes intensive, especially on the terraces of the Upper Mōtū and Koranga rivers. Due to the proximity to the dairy farms of Whakatane and Opotiki Districts, dairy support is also undertaken in the catchment, with a farming system similar to the intensive beef activity.

66. The Upper Mōtū Catchment has been identified as one that is most likely to see potential interest in dairy farming, as it is one of the few areas in Gisborne District within the collection radius of a dairy factory – the two existing dairy farms represent 50% of the total dairy farms in the Gisborne District.

67. In terms of future land use, the extensive terrace system around the Upper Mōtū River represents a large area that could be considered desirable for conversion to dairy farming use.

68. Apart from farming, there are some small areas of commercial forestry, and significant areas within native bush. Most of the bush area and forestry falls within the area protected by the Mōtū Water Conservation Order – below the Mōtū Falls.

69. While parts of the mainstem Upper Mōtū River and the two regionally significant wetlands are fenced[3], most of the catchment is unfenced. Alongside unrestricted stock access, there are very substantial numbers of pest deer in the bush areas of the catchment.

70. The Upper Mōtū River is the most well-known of the nationally significant trout fisheries in the Gisborne District and there are some guiding and visitor accommodation services supporting this activity. Counter intuitively perhaps, it is the farming area of the Upper Mōtū above the falls where the excellent trout fishery is found – trout fishing is much less popular in the forested area below the falls.

71. The establishment of the Mōtū Trails cycleway has also brought more visitors to the catchment.

1.3.5. Cultural Environment

72. The catchments intersect the rohe of multiple iwi – Te Aitanga ā Māhaki, Te Whanau ā Apanui, Te Whanau a Kai, Ngā Ariki Kaiputahi and Whakatōhea.

73. Mōtū means "cut off" or "isolated". Since ancient times, the area has been recognised as isolated because of the dense forests surrounding it.

74. Maungahaumī, the southernmost peak of the Raukumara Ranges, is a significant maunga for various iwi. Its naming is recorded in the pātere (chant) Haramai a Paoa. The mountain was found by Paoa, the captain of the Horouta waka, in his search for a suitable tree to make repairs to the Horouta. It is important culturally to all the iwi of Tairawhiti who descend from the Horouta waka.

75. The Mōtū is an important awa for Te Aitanga ā Māhaki. A key marae for the Mōtū is Mātāwai (called Tapapa), which is important for the hapu of Ngā Pōtiki and Ngā Mātāwai.

76. Another iwi which has a close connection to the Mōtū is Ngā Ariki Kaiputahi. Though the Mangatu is their awa their rohe includes areas of the Mōtū, Mangaotane Blocks, Mangaotane, the Raukumara Ranges and the Mōtū River on the boundaries of Mangaotane.

77. Te Whānau a Kai also have interests in the Mōtū catchment. Their ancestral maunga is Maungahaumi.

78. As the Mōtū continues downstream to the Bay of Plenty, it is within the rohe of Te Whānau a Apanui, who, like Te Aitanga ā Māhaki, feature the awa in their pepeha. The Mōtū River acts a boundary between Te Whānau a Apanui and Te Aitanga ā Māhaki.

1.3.6. Social Environment

79. The community of the Upper Mōtū Catchment Plan area includes the main township of Mātāwai and the Mōtū Village. The nearest large settlements are Gisborne and Opotiki – both located 70 km from Mātāwai.

80. Mātāwai is the largest settlement in the catchment and is located on the Upper Mōtū River just upstream of the Mātāwai Stream confluence. The population of Mātāwai is 100 people. There are only 6 permanent residents' houses in Mōtū.

[3] The Motu Catchment Group has constructed 30km of fencing and planted 106,058 trees. Ref. https://www.motuvated.co.nz/

81. The major source of employment for residents in the catchment is the agriculture sector. Due to the limited employment opportunities available, a number of residents commute to Gisborne for work.

82. Water and wastewater infrastructure is provided on site by property owners. There are no reticulated systems in place. A review of wastewater system data indicates that some septic tank systems may not be being well maintained, but there are no specific concerns that have been identified.

1.3.7. Recreation

83. The Upper Mōtū Catchment Plan area has high recreation values. All the rivers are identified as nationally significant trout fisheries, and there are significant areas of Conservation Estate with an extensive track network, as well as the more recently developed Mōtū Trails cycleway.

84. The Mātāwai Village is also a major stopping point midway between Gisborne and Opotiki on State Highway 2, and it alongside Mōtū village is a gateway for the outdoor recreation including fishing, kayaking, cycling, tramping bird watching, mountain biking and rural walks.

85. Swimming in the rivers is mainly undertaken by locals, particularly children from the two schools. There are popular waterholes at both Mātāwai and Mōtū.

86. Overall the area is considered a regionally important site for recreation.

1.4. Requirements of section 32 of the RMA

87. Gisborne District Council (Council) is required to prepare an evaluation report for the Upper Mōtū Catchment Plan in accordance with section 32 of the RMA.4

88. The evaluation report must summarise any advice on the proposal received from iwi authorities and the Council's response to that advice. This needs to identify any provisions that are intended to give effect to the advice.

89. This report has been prepared in order to meet the section 32 RMA requirements.

[4] Clause 5, Schedule 1 to the RMA

2. Development of Plan Change 6 and consultation

2.1. Stakeholder Advisory Group

90. The content of the Upper Mōtū Catchment Plan was developed through a process of community engagement and with the assistance of a Mōtū Catchment Advisory Group. The Advisory Group was made up of 7 members representing mana whenua, trout fishing interests, local community members and a local ward Councillor. A description of the membership is contained in **Appendix 3**.

91. Eight meetings with the group were held over the course of 2020-2022 - a longer time period than initially planned due to Covid disruptions.

Table 2: Topics covered at each Advisory Group meeting.

Meeting	Topics
Meeting 1 – 18 November 2020	• Overview of the process • Long-term Vision • Values • Freshwater Management Units
Meeting 2 – 16 December 2020	• Freshwater Management Units • Values • Environmental Outcomes
Meeting 3 – 17 February 2021	• General matters and updates • Environmental Outcomes • Special Sites and Features • Microbial Source Tracking
Meeting 4 – 18 March 2021	• Overview of the process • Environmental Outcomes • Action Plans • Outstanding Waterbodies
Meeting 5 – 22 April 2021	• Overview of the process • Water quantity • Draft targets • Action Plan
Meeting 6 – 23 June 2021	• Updates • Water quantity • Action Plan • Stakeholder feedback • Draft Catchment Plan
Meeting 7 – 27 July 2021	• Research updates • Long-term Vision • Non-regulatory actions • Section 32 report – overview and options • Draft Catchment Plan
Meeting 8 – 5 May 2022	• Recap of catchment planning process • Draft catchment plan • Information gaps • Section 32 report – brief overview • Next Steps

2.2. Tangata whenua involvement

2.2.1. Consultation with iwi authorities

92. Clause 3B of the RMA sets out the minimum requirements for consultation with iwi authorities.

93. The Upper Mōtū Catchment falls on the edge of the rohe of five iwi (Te Aitanga a Mahaki, Te Whanau a Kai, Ngā Ariki Kaiputahi, Whakatohea and Te Whanau a Apanui), however it was not an area of main habitation, but rather a landscape that was travelled through.

94. The affected iwi were invited to participate in the development of the Upper Mōtū Catchment Plan. Due to capacity issues, and other priorities (particularly Treaty Settlement processes) only Te Aitanga a Mahaki indicated a desire for involvement in development of the catchment plan. Te Aitanga a Mahaki recognised that Mātāwai Marae members are ahi kaa and mana whenua for the area, and that their views were an important part of the process. Te Aitanga a Mahaki held hui with its hapū about the catchment plan and brought their views to the Stakeholder Advisory Group.

95. Joanne Barbarich represented Mātāwai Marae on the group, and Pene Brown, Chair of Te Aitanga a Mahaki was also the Chair of the Stakeholder Advisory Group.

2.2.2. Clause 4A, Schedule 1

96. Clause 4A of the RMA requires Council to provide a copy of a draft proposed plan to an iwi authority consulted under clause 3(1)(d). Council is to allow adequate time and opportunity for the iwi authorities to consider the draft plan and provide advice on it.

97. To complete this subsection following consultation.

2.3. Community consultation

98. Four community meetings were held at various points in the process – the start, during development of the catchment plan and upon completing the first draft of the catchment plan. A summary of meetings is as follows:

Table 3:Topics covered at each Community meeting.

Meeting	Matters covered
Meeting 1 – 15 October, 2020	• Overview of catchment planning process • Catchment vision and values
Meeting 2 – 14 April, 2021	• Introduce advisory group members • Outline of progress in catchment planning process • Outline of environmental outcomes
Meeting 3 – 13 July 2022	• Outline of process • Discuss draft plan
Meeting 4 – 19 October, 2022	• Community feedback on draft plan

2.4. Organisational Stakeholders

99. Early in the process, a questionnaire was circulated to various organisations to help understand their perspectives on the Upper Mōtū Catchment Plan area. The following organisations have responded:

- Gisborne Canoe and Tramping Club;
- Forest and Bird – National Office;
- NZ Landcare Trust;
- QEII National Trust;
- Eastern Whio Link;
- Federated Farmers of New Zealand;
- Fish and Game – Eastern Region;

100. **Appendix 4** outlines the key questions and responses from this consultation.

2.5. Cross-boundary issues

101. The Upper Mōtū Catchment Plan area is unusual in that the headwater areas of the catchments covered by the Plan are found in the Gisborne District, but all of these waterbodies flow into the Bay of Plenty Region.

102. Several meetings with Bay of Plenty Regional Council (BoPRC) staff have been held during the development of the catchment plan and they also provided feedback on the draft Plan.

103. During this Plan's development process, BoPRC has yet to complete the NPSFM planning for the catchment areas that fall within the BOP Region – however it has identified that they will be part of two management areas – the Waioeka Catchment (into which the Koranga, Pakiri and Opato Streams flow) and the East Coast Catchment (which includes the lower Mōtū River but also all of the waterways draining into the region east of Opotiki).

2.6. RMA pre-notification consultation

104. In addition to consultation discussed above, Council has also undertaken the consultation required by Schedule 1 of the RMA.

105. Through the consultation processes outlined above a draft Catchment Plan was developed and put out for feedback in October-November 2022. Two public meetings at Mātāwai (July and October 2022) were held to seek feedback on the draft plan, which was also made available on the Council website and sent to known interested stakeholders.

2.6.1. Clause 3, Schedule 1

106. Clause 3(1) of Schedule 1 of the RMA requires Council to consult certain parties during the preparation of a proposed policy statement, including:

- the Minister for the Environment
- other Ministers who may be affected
- local authorities
- tangata whenua through iwi authorities (see section 2.1)

- customary marine title groups (see section 2.1).

107. A draft copy of the Upper Mōtū Catchment Plan / Plan Change 6 provisions were sent to the following parties for comment:

3. Issues

108. Issues are existing or potential problems that must be resolved to promote the purpose of the RMA. Environmental issues usually concern conflicts between users of resources, allocation of resources, or effects on the environment (Quality Planning, 2013).

109. Issues can arise from the cumulative effects of many resource users or from a series of individual proposals.

110. Issues can also be framed as opportunities to assist in promoting the purpose of the RMA, and the need to take positive action to correct policy failures or address the absence of policy or promote or reward positive effects (Quality Planning, 2013).

111. Section 32 of the RMA does not require an evaluation of issues. However, issue statements underpin the policy direction in a planning document as they are the starting point for policy development. This section outlines the issues, explains how they were developed and summarises the analysis undertaken to determine their appropriateness, relevance and significance.

3.1. Issue 1 – River water quality is poor and is degrading

112. The Upper Mōtū River is considered an at-risk river in the Gisborne region due to the combination of high natural values, ecological significance, and a high potential for degradation as a result of land use intensification.

113. As outlined in Section 1.3 there are problems with poor water quality in relation to E.coli, sediment, phosphate and aquatic ecosystem health. There are also degrading trends for some other nutrient atributes at some monitoring sites. Overall there is significant concern for the health of the Upper Mōtū River.

114. The Mātawai Stream, while only one of a large number of tributaries to the Upper Mōtū River has been identified as having particular water quality problems – it has exceedingly high E.coli levels and also has poor water quality in the other NOF attributes.

115. The Mātawai Stream sub catchment is thought to contribute disproportionately to the water quality degradation in the Upper Mōtū River and is also the sub catchment where there is one of the two dairy farms located in the catchment, as well as a significant area of dairy support.

3.2. Issue 2 – Farming intensification is a key driver of degrading water quality

116. The main land use change that has occurred during the past ten – fifteen years has been the development of significant intensive farming activity in the form of intensive beef farming on the terraces and flatlands.

117. Alongside this, cropping and winter intensive grazing has become a normal practice on many farms for both beef and also deer farming.

118. "Spray and Pray" was a popular cropping method for a few years, though is currently less common. An additional dairy farm has also established in the catchment.

119. The degrading trends and impacts of farming intensification in the Upper Mōtū Catchment were discussed extensively as part of the hearings on the Gisborne Freshwater Plan in 2016, and the TRMP winter intensive grazing rules were developed as a consequence of this.

120. GDC staff consider application of these rules, and general uptake of good practice winter grazing in the Upper Mōtū Catchment has seen many farms in the catchment improve their management of winter intensive grazing. Likewise, compliance assessments of the dairy farm operations indicate they are well managed and compliant operations.

121. Despite this, water quality continues to deteriorate. It is considered that the combination of porous soils and the high rainfall experienced in the catchment, means that it is very difficult for intensive farming operations to not have a very large environmental footprint.

122. The Mātāwai Stream catchment is a useful example to consider with the three farms in the sub catchment all undertaking intensive farming activities. It is identified as the most degraded in the catchment and has a continued degrading in relation to several attributes.

3.3. Issue 3 – Riverbank and bed disturbance is driving erosion and sedimentation

123. With the sediment fingerprinting confirmed riverbank erosion as the main source of sediment into the river, the drivers of bank erosion need to be considered. Currently there is sparse or no vegetation on large sections of the rivers and streams in the Upper Mōtū Catchment Plan area, and overall the riparian environment can be described as poor.

124. There are a range of views about the best ways to address riverbank erosion and it was considered that a geomorphological assessment of the river and its catchment would help identify drivers and best practices to manage the issue.

125. A geomorphological study was undertaken by an Auckland University Honours student and assessed by Professor Gary Brierly of the Auckland University School of Geography. The study identified that the river is downcutting though soft sediments from a former wetland forest. This downcutting has been exacerbated by the substantial change in hydrology in the catchment, due to clearance for farming.

126. Significant erosion is occurring in the river during median, as well as flood flows. Planting of the banks of the river with woody vegetation was identified as a key priority to reduce erosion - particularly with natives, but also fast-growing conservation trees such as poplars and sterile willows may be appropriate in some locations.

127. Alongside this need for better riparian management, it was identified that protection of the structure of the bed of the river is critical to avoid exacerbating riverbank erosion. This is because disturbing the bed will result in downcutting and resultant steepening of riverbanks. This in turn leads to riverbank collapse and erosion.

128. The geomorphological studies identified that even with riparian restoration and avoidance of bed disturbance, downcutting and erosion will be ongoing, as the river has not yet adjusted to the new catchment hydrology.

129. Climate change, with increased severe weather events will also have an impact. There is therefore a need to "let the river move" and for sufficient buffer widths (e.g. 10 m not 1 m) between the current riverbank and infrastructure such as fences, in the expectation that during events significant erosion will likely occur.

3.4. Issue 4 – High value mahinga kai, trout fishing and aquatic ecosystem health values need good levels of flow

130. While all catchment values are reliant on river flows to some degree, the identified high priority values of mahinga kai, trout fishing and aquatic ecosystem health all require good levels of flow.

131. A report was prepared in 2016 by GDC and NIWA (Gisborne District Council & NIWA, 2016) to better understand the relationship between flow and in-stream ecology. The report presented a range of flow scenarios and their impacts on in-stream ecology. It suggested tuna (long finned eel) and brown trout as the priority species to manage river flows for.

132. Both large tuna and brown trout have high demands in terms of flow requirements.

133. Based on flow statistics from 2007-2016, the median flow of the Mōtū River at Kotare Station Bridge is 940 litres/second and the 7-day minimum annual low flow (known as MALF) is 500 litres/second.

134. Flows below 300 litres/second are also regularly recorded at the Kotare Station Bridge during summer and autumn.

135. At the Kotare Station monitoring site (where any minimum flows would be set):

- Optimum flows for brown trout are 800 -1000 litres/second depending on life stage.
- Optimum flows for large tuna are 900 litres/second
- A flow of 800-1000 litres/second also provides a good level of habitat for a wide range of sensitive macroinvertebrates such as mayflies, common bully and koaro.
- For rainbow trout flows closer to 2000 litres/second are optimum, so this probably explains why there aren't many in the river.
- These optimum flows suggest that if the priority for management of the river is the trout fishing, ecosystem health and kai moana values, then effectively there is no water available for allocation when the river falls below median levels – and that any allocation should be for high flows only.

4. Plan Change 6: Upper Mōtū Catchment Plan

4.1. Introduction

137. This section of the report evaluates the provisions of Upper Mōtū Catchment Plan in accordance with the requirements of section 32 of the RMA. Council is required to examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. It is also required to examine whether the provisions in the proposal are the most appropriate way to achieve the objectives.

138. For changes to existing plans, this examination must relate to the provisions and objectives of the new proposal, and the objectives of the existing document (usually the operative plan). For each topic assessed in this section, the relevant objectives from the Tairāwhiti Resource Management Plan and the objective(s) of the proposed changes are identified as options.

4.2. Grouping Provisions

139. The approach taken in this evaluation report is to assess collective groupings of policies and rules in Plan Change 6 as follows:

- water quantity
- point source discharges
- nutrient management
- stock exclusion
- river bed activities
- wetlands.

4.3. Evidence Base – Research and Analysis undertaken

140. Council has reviewed the current Tairāwhiti Resource Management Plan (TRMP), commissioned technical advice and assistance from various internal and external experts, and reviewed external research and information. The technical advice is listed in Table 3.

141. This evidence base has informed the identification of potential options to manage freshwater in the Mōtū Catchment.

142. We have considered options that:

- are both regulatory and non-regulatory
- are targeted towards achieving the purpose of the RMA and contributing to Council's strategic planning outcomes identified in Tairāwhiti 2050: Shaping the future of our region.
- are within the Council's resources, duties and powers (within its sphere of influence)
- represent a reasonable range of possible alternatives.

Table 4: Summary of Council's technical advice and documents relevant to the development of the Upper Mōtū Catchment Plan

Title	Author	Brief synopsis
How imprints of the past influence patterns of terraces and contemporary river processes in the Upper Mōtū River, East Cape, Aotearoa New Zealand.	McCord, J	Geomorphological analysis of the Mōtū River
N/A	Gisborne District Council	eDNA testing for the Koranga and Mōtū rivers. TICI results[5] are consistent with SOE monitoring data that indicate a deterioration in water quality and stream health as waterways progress further downstream.
Upper Mōtū Catchment Sediment Sources Study	Simon S. Vale, Hugh G.Smith, Mike Marden	A study was undertaken by Manaaki Whenua – Landcare Research for Gisborne District Council to investigate sediment sources in the catchment. This involved an application of the sediment fingerprinting technique, comprising (1) geochemical analysis and characterization of the main sediment sources in the catchment, (2) discrimination of sources using selected geochemical tracers, and (3) determination of relative contributions from catchment sources to downstream sediment.
Instream Habitat and Minimum Flow and Allocataion Requirements in the Motu River	Harriet Roil, Alice Trevelyan, Maurice Duncan	This study presents the ecological effects for a range of minimum flows for two reaches in the Motu River, at Kotare and Alcuin Stations to enable an appreciation of how availability of suitable habitat for various s[ecies would be enhanced or reduced by a selecation of a particular minimum flow.
N/A	Gisborne District Council	Faecal source tracking across 6 sites within the Mōtū Catchment.
Recommendations for Water Quality Monitoring of a New	Deborach J. Ballentine, RobJ. Davies-Colley	This report outlines how diarying has led to degratation of water, particularly through the pollutants associated with dairying - fine

[5] TICI refers to the Taxon-Independent Community Index. This is a biotic index of riverine ecological health developed by Wellington-based eDNA laboratory Wilderlab: https://www.wilderlab.co.nz/tici

Dairying Area - Upper Motu Catchment		sediment affecting visual clarity, nitrogen and phosphorus and faecal indicator, E.coli. The report reccomends measures to ensure the Motu River is protected through prevention measures to protect its unique ecological systems and water quality from dairying affects.

4.4. Evaluation of Catchment Objectives and Target Attribute States

4.4.1. Introduction

143. This section evaluates the appropriateness of provisions of Plan Change 6 in establishing freshwater objectives and setting target attribute states for the two Freshwater Management Units within the Upper Mōtū Catchment Plan Area.

4.4.2. Relevant provisions within Plan Change 6

144. The relevant provisions for this section are:

- **Objective 1** Within 50 years the mauri of freshwater is protected and enhanced for the full extent of the Upper Mōtū Catchment Plan area within Te Tairāwhiti.
- **Objective 2** The Upper Mōtū Catchment Plan area rivers and tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
- **Objective 3** The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
- **Objective 4** The productive landscape of the Farmlands and Settlements FMU continues to support the productive and economic wellbeing of the Mōtū and Matawai communities provided that it does not compromise the health and wellbeing of waterbodies. Sediment and E.coli no longer make their way into the waterways.
- **Objective 5** Sediment inputs are reduced across the Upper Mōtū and Upper Koranga river catchments and riverbank erosion is substantially reduced. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom lines unless prevented by naturally occurring processes and there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.
- **Objective 6** The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

145. The following is a summary of the proposed provisions:

- 6 Catchment objectives for the Upper Mōtū Catchment Plan Area as outlined above
- Target Numeric Attribute States for NOF attributes as outlined in Table 5 below

Table 5: Summary of Proposed Target Attribute States for the Upper Mōtū Catchment Plan.

Attribute	FMU	Target Numeric Attribute State	Timeframe to Achieve Target State	Interim Target Attribute State (By 2031)
Periphyton (trophic state) in rivers (mg chl-*a*/m²)	Farmlands and Settlements	B Band sites on the Mōtū River and Mātāwai Stream A Band at sites on the Koranga River	Maintain Current State	N/A
	Te Wai o Ngahere	A Band	Maintain Current State	N/A
Ammonia (toxicity) (mg/L)	Farmlands and Settlements	A Band	2031 for the Mātāwai Stream	N/A
	Te Wai o Ngahere	A Band	Maintain Current State	
Nitrate (toxicity) (mg/L)	Farmlands and Settlements	A Band	Maintain Current State	
	Te Wai o Ngahere	A Band	Maintain Current State	
Suspended fine sediment (visual clarity in metres). Suspended Sediment Class 1	Farmlands and Settlements	0.85m (D Band – but similar to reference site)	2041	0.8m
	Te Wai o Ngahere	Annual Median >1.0 (D Band)	2041	0.9m
***Escherichia coli* (*E.coli*) (cfu/100mL)**	Farmlands and Settlements	C Band	2041	D Band
	Te Wai o Ngahere	B Band	Maintain Current State	
Fish (Fish index of Biotic Integrity	Farmlands and Settlements	C Band	2031	N/A
	Te Wai o Ngahere	C Band	2031	
Macro-invertebrates (QMCI and MCI)	Farmlands and Settlements	B Band	2036 for Mōtū above Falls and Matawai Stream monitoring sites	QMCI 5.5 MCI 105 at Mōtū Above Falls QMCI 5.5 MCI Maintained above 110 at Mātāwai Stream
	Te Wai o Ngahere	B Band	Maintain Current State	
Macroinvertebrates (ASPM)	Farmlands and Settlements	Koranga River sites A Band Mōtū River and Matawai Stream sites B Band	Mōtū Above Falls Site by 2036	Mōtū Above Falls ASPM 0.35
	Te Wai o Ngahere	A Band for all sites except Whakarau Trib at Whakarau Road B Band	Maintain Current State	

Deposited Fine Sediment	Farmlands and Settlements	Mōtū Above Falls site A Band Kotare Station Bridge Site C Band	Kotare Station Bridge Site by 2036	Kotare Station Bridge Site 29%
	Te Wai o Ngahere	A Band at Marumoko Stream at Marumoko Road site B Band at Whakarau Trib at Whakarau Road site C Band at Mātāwai Conservation Area, Upper Mōtū Trib at Mangatu Sites	2031 for Upper Mōtū Trib at Mangatu Site	
Dissolved Reactive Phosphorus	Farmlands and Settlements	C Band	Kotare Station Bridge Site by 2036 Mātāwai Stream Site reverse degrading trend by 2025	0.018 Mātāwai Stream site shows an improving trend
	Te Wai o Ngahere	C Band	Maintain current state	
***Escherichia coli (E.coli/100 mL)* (Primary contact sites during the bathing season)**	Farmlands and Settlements	Fair Band at Mōtū Above Falls site	2041	95th Percentile 1200
Ecosystem Metabolism (g O_2/m^2/day)	Farmlands and Settlements	-4.00 and < -5.00 at Mōtū River Sites >-9.00 and <-10.00 at the Mātāwai Stream Site	No data	
	Te Wai o Ngahere	No data	No data	
Dissolved oxygen (mg/L)	Farmlands and Settlements	B Band	Mātāwai Stream 2036	Mātāwai Stream 7 -day mean minimum >6 1-day minimum >5.5
	Te Wai o Ngahere	B Band	Maintain current state	

4.4.3. Relevant TRMP Objectives

146. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. The objectives relevant for this topic is:

Table 6: Relevant current and proposed TRMP objectives for the catchment objectives and attribute states.

RPS Objective (TRMP)	**Text of objective**
B6.2.1.1	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.
B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.5	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.
B6.2.1.9	The planning and management of the region's freshwater resources is undertaken in a way that recognises the kaitiaki role of iwi and hapū and ensures that their values and interests are reflected in the decision-making processes.
B6.2.1.10	The mauri of waterbodies is recognised and provided for and action is taken to restore the mauri of degraded waters.
B6.2.1.11	Mana whenua values, mātauranga and tikanga are reflected in resource management processes and decision making.
B6.2.1.12	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.
RPS Objective (Plan Change 6)	**Text of objective**
RPS Objective 1	Within 50 years the mauri of freshwater is protected and enhanced for the full extent of the Upper Mōtū Catchment Plan area within Te Tairāwhiti.
RPS Objective 2	The Upper Mōtū Catchment Plan area rivers and tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to support the productive and economic wellbeing of the Mōtū and Matawai communities provided that it does not compromise the health and wellbeing of waterbodies. Sediment and E.coli no longer make their way into the waterways.

RPS Objective 5	Sediment inputs are reduced across the Upper Mōtū and Upper Koranga river catchments and riverbank erosion is substantially reduced. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom lines unless prevented by naturally occurring processes and there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.
RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

Reasonably practicable options and effectiveness evaluation

Table 7: Evaluation of reasonably practicable options for Catchment objectives and target attribute states.

Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo – minimum improvement in water quality	
• Use existing TRMP Freshwater Objectives. Apply regional environmental outcomes as objectives for the Upper Mōtū Catchment Plan Area. • Target Attribute States only seek improved water quality where attributes are below the national bottom line.	• While the TRMP Objectives are generally applicable to the Upper Mōtū Catchment Plan Area, they do not recognise the specific values identified within the Catchment Plan area and it's FMUs • If Target Attribute States only sought to improve water quality to national bottom lines then some of the key values (e.g. trout fishing, mahinga kai and ecosystem health) would not be able to be supported within the catchment on a sustained basis. • The NPSFM 2020 requires specific objectives to be set for each FMU which are based on the environmental outcomes established for each FMU and this would not meet that requirement.
Option 2: Plan Change 6 (Preferred)	
• Objectives that reflect environmental outcomes set for the two FMUs in the Upper Mōtū Catchment Plan Area. • Target numeric attribute states for NOF attributes that reflect the balance of community values and priorities within each FMU	• The objectives set reflect the environmental outcomes sought for each FMU and meet the requirements of the NPSFM. • The objectives better implement the TRMP objectives than Option 1 in that they recognise the specific values and interests of iwi and a collaborative approach to objective development. • The target numeric attribute states, when achieved, will ensure that the high priority values in the catchment are retained, and that the environmental outcomes sought for the catchment are achieved. • The timeframes over which the target numeric attribute states will be achieved (where improvement is needed) reflect a realistic and practical timeframe for improvement and implementing the provisions in Plan Change 6 and non-regulatory actions which will continue to support the

Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
	other values (particularly production uses) within the catchment. • The objectives and target numeric attribute states do not preclude small scale land use development within the catchment • The objectives enable the community to use the waterbodies in the catchment for social and economic wellbeing while also protecting important cultural values and mahinga kai. • Interim target attribute states ensure that progress in water quality improvement occurs and that if necessary additional actions can be taken at the 5 yearly action plan review if interim attribute states are not being met.
Option 3: More ambitious targets	
• Objectives that reflect environmental outcomes set for the two FMUs in the Upper Mōtū Catchment Plan Area • Target numeric attribute states that seek shorter timeframes for improvement in water quality in the Farmlands and Settlements FMU	• The objectives set reflect the environmental outcomes sought for each FMU and meet the requirements of the NPSFM. • The objectives better implement the TRMP objectives than Option 1 in that they recognise the specific values and interests of iwi and a collaborative approach to objective development. • The target numeric attribute states when achieved will ensure that the high priority values in the catchment are retained, and that the environmental outcomes sought for the catchment are achieved. • Increasing the speed at which target numeric attribute states are achieved would have severe economic impacts in the community as there would be very substantial costs in stock exclusion fencing and riparian restoration over a short period of time, and a likely need for some significant and fast land use changes. The speed of change required could make some farming uneconomic and this would impact on the wellbeing of the catchment community.

147. Overall, it is considered that the Plan Change 6 Regional Objectives and Target Numeric Attribute States will achieve the proposed vision (RPS objectives) and environmental outcomes for the catchment meaning these provisions receive a high effectiveness rating.

4.4.4. Efficiency evaluation – Benefits and Costs

148. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 8: Benefits and costs for Catchment objectives and target attribute states.

BENEFITS	COSTS
Environmental	
• **There is expected to be a high environmental benefit in the Upper Mōtū catchment if the freshwater objectives in Plan Change 6 are achieved. Achieving the objectives should improve water quality and be positive for aesthetic, habitat and ecological values.** • Environmental benefits will arise from meeting the target attribute states for sediment, macroinvertebrates and nutrients and meeting the E.coli target attribute state to support recreation. • Overall, the environmental benefit from meeting the freshwater outcomes in Plan Change 6 is considered to be high, although it should be noted that some target attribute states may not be met until 2041.	• There are no significant anticipated environmental costs from the objectives and target attribute states themselves.
Cultural	
• **A high cultural benefit is anticipated from the objectives and target attribute states in Plan Change 6. This benefit is expected to arise from:** o Better enable tangata whenua to make greater use of the waterbodies in the catchment for mahinga kai, particularly eeling; and o Better recognise the place of tangata whenua as kaitiaki for the Upper Mōtū catchment by improving the quality of the environment for mahinga kai purposes. o Enable Māori landowners in the catchment to continue to be ahi kā within the catchment as they are supported financially by their farming businesses	▪ There are no expected cultural costs from the freshwater outcomes in Plan Change 6.
Social	

• **A high social benefit is anticipated from the objectives and target attribute state in Plan Change 6. The benefit is expected to arise from an increase in the recreational use of the Upper Mōtū Catchment Plan area catchment as a result of better water quality and meeting the freshwater outcomes.** • This includes an increase in recreational fishing in the rivers and increased safety of recreation in the rivers such as swimming, kayaking and picnicking. There will also be social benefits in that the community expectations for the rivers will be met. The size of this benefit also takes into account that the freshwater objectives may not be met until 2041.	▪ There are no expected social costs from the objectives and target attribute states in Plan Change 6.
Economic	
• **Meeting the objectives and target attribute states will result in better water quality of the rivers in the catchment. This may result in more tourism opportunities as the rivers will offer better trout fishing. If fishing tourism within the catchment increases, this would provide economic benefits to the local community.** • However, these benefits are hard to estimate and quantify. • Overall, there is potential for a small economic benefit resulting from Plan Change 6.	• A small economic cost is anticipated from the objectives and target attribute states in Plan Change 6. • The costs are associated with complying with the statutory measures in Plan Change 6 and implementing the non-statutory actions in Action Plan to achieve the outcomes. • Overall the relevant provisions in Plan Change 6 are not expected to reduce economic growth or employment.

149. The environmental, social and cultural benefits are considered to outweigh the costs and overall the efficiency rating of Plan Change 6 is considered to be high.

4.4.5. Risk of acting or not acting if there is uncertain or insufficient information

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

151. There is sufficient information available on the effects of point source discharges to support this approach.

152. The risk of not acting to set catchment objectives and target attribute states is that the water quality and ecosystem health of the waterways in the catchment will continue to degrade and so not meet social, cultural, environmental and economic outcomes.

153. There is a particular risk that the Upper Mōtū River will reach a tipping point of degradation beyond which it will become very difficult – and costly – to improve

water quality. In addition several attributes of freshwater quality are below the bottom line of the NPSFM and the risk of not acting is that this will not improve.

4.5. Evaluation of Water Quantity Provisions

4.5.1. Introduction

154. This section evaluates the appropriateness of policies and rules within the proposed Upper Mōtū Catchment Plan in relation to water quantity.

155. All catchment values are reliant on river flows to some degree. Ensuring that water takes do not compromise the values is fundamental to the catchment plan objectives.

156. Currently, there are no water takes within the catchment plan area.

157. A report was prepared in 2016 by GDC and NIWA (Gisborne District Council & NIWA, 2016) to better understand the relationship between flow and in-stream ecology. The report presented a range of flow scenarios and their impacts on in-stream ecology. It suggested tuna (long finned eel) and brown trout as the priority species to manage river flows for.

158. There has been historical flow monitoring at Waitangirua and Kotare Station Bridge. However, the ongoing flow monitoring location will be Kotare Station Bridge as the Waitangirua site has been disestablished by NIWA.

159. Based on flow statistics from 2007-2016, the median flow of the Motu River at the main Kotare Station monitoring site is 940 litres/second and the 7-day minimum annual low flow (known as MALF) is 500 litres/second. However, the river flow is known to get significantly lower than this. In April 2021, the Motu River flow was 228 litres/second.

160. Gisborne District Council does not hold flow data for any other waterways within the catchment plan area.

4.5.2. Relevant provisions within Plan Change 6

161. The following is a summary of the proposed provisions:

- Setting the median flow of the Upper Mōtū and Koranga Rivers as the minimum flow for all consented water takes;
- For the Upper Mōtū River this is 940L/s be applied to consented water takes;
- An allocation limit of 30% of MALF, which equates to 150L/s in the Upper Mōtū River;
- No takes or use of freshwater for the purposes of irrigation of land on a dairy farm (replacing clause 20 of the NES -FW temporary standards);
- No allocation (Permitted takes only) within the Te Wai o Ngahere FMU;
- Takes of less than 5 litres/second per property (or at not less than 1km from another take on the same property) for stock drinking water can operate as a permitted activity;
- A maximum pumping rate of 10L/s for consented takes.

162. The Council does not hold flow data for the Koranga River. It is a much smaller river than the Motu and would provide limited opportunities for irrigation takes. However, it has similar values to the Motu River and the same flow regime is

proposed – the calculated median flow be adopted as a minimum flow with small takes and stock water to be permitted activities.

4.5.3. Relevant TRMP Objectives

163. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. However, the following objectives are considered particularly relevant to the assessments in this section:

Table 9: Relevant current and proposed TRMP objectives for the Water Quantity Provisions..

RPS Objective (TRMP)	**Text of objective**
B6.2.1.1	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.
B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.5	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.
RPS Objective (Plan Change 6)	**Text of objective**
RPS Objective 2	The Upper Mōtū Catchment Plan area rivers and tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to support the productive and economic wellbeing of the Mōtū and Matawai communities provided that it does not compromise the health and wellbeing of waterbodies. Sediment and E.coli no longer make their way into the waterways.
RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

4.5.4. Reasonably practicable options and effectiveness evaluation

Table 10: Evaluation of reasonably practicable options for Catchment provisions for water quantity.

Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo	
• Existing provisions in the Tairāwhiti Plan • The policies and rules provide guidance for water takes where no specific catchment limits have been set. These could be applied to the Motu Catchment Plan area if no additional methods were considered necessary	• The TRMP does not consider the unique flow requirements in the Upper Mōtū Catchment and its current approach of using 7-day MALF as the minimum flow would result in loss of the trout fishering and many of the aquatic ecosystem and mahinga kai values if there were significant water takes using this approach in the Upper Mōtū Catchment. • The minimum flow approach would also likely have impacts on the Water Conservation Order area hydrology – this area is also an Outstanding Waterbody in the TRMP.
Option 2: Plan Change 6 (Preferred)	
• Existing permitted activity standards in the Tairāwhiti Plan o This would cover domestic and stock drinking water supplies o Takes of less than 5 litres/second to a maximum of 10m³ per day per property provided that the take and use is not for irrigation of more than one hectare. (essentially this is domestic use) o Takes of less than 5 litres/second per property (or at not less than 1km from another take on the same property) for stock drinking water • Specific allocation limits for consented activities: o This would apply to irrigation and other large takes that do not meet the permitted activity standards o Median flow as the minimum flow for consented takes o Allocation cap of 30% MALF	• The median flow has been assessed as providing optimal habitat for large tuna and brown trout – this reflects the importance of these species in relation to the proposed RPS objectives (vision) and environmental outcomes for the catchment plan • The median flows also provide a good habitat for a wide range of sensitive macroinvertebrates • Providing for a water take regime that based on optimum flows gives effect to the vision and environmental outcomes for the catchment plan • A low value is placed in the catchment on irrigation and commercial/industrial use, indicating that some weight should be given to the protection of the more flow sensitive values • Farming and production have been identified as important values for the Farmlands and Settlements FMU and this needs to be provided for in the allocation regime. The permitted activity standards allow for stock drinking water to be taken at a rate of no more than 5 litres/second. • The maximum pumping rate of 10 litres/second helps to ensure localised effects are avoided. Larger takes can create a vortex of water that affects in-stream species and can also have cause erosion effects on the river bed and adjacent banks.

Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
○ Maximum pumping rate of 10 litres/second • Action Plan Non-regulatory project supporting the existing catchment group to work with landowners to develop reticulated stockwater systems to support increased stock exclusion from streams and wetlands	• The allocation volume (30% of MALF – 150 litres/second) is expected to have a low impact on the river as it would still allow sufficient water for the priority fish species, and the river to have normal flushing flows. • The proposal is considered effective in achieving the objectives as it provides clear limits on resource use that reflect the outcomes sought. • It will be easy to judge compliance with the provisions where monitoring is required. However, there is very limited ability to monitor permitted activities.
Option 3: More restrictive provisions	
• More restrictive permitted activity standards for taking stock water plus the allocation limits under Option 2 for consented activities	• In order to achieve the water quality objectives for the catchment there needs to be a move towards stockwater reticulation – currently in the catchment most stock get water through direct access to rivers. • Requiring stricter consent requirements for stockwater would undermine the efforts to promote reticulation and stock exclusion – and the environmental outcomes would not be achieved.

164. The proposal is considered effective in achieving the proposed objectives as it provides clear limits on resource use that reflect the outcomes sought.

165. It will be easy to judge compliance with the provisions where monitoring is required. However, there is very limited ability to monitor permitted activities.

166. Overall, it is considered that the Plan Change 6 provisions for water quantity will achieve the proposed vision (RPS objectives) and environmental outcomes for the catchment meaning these provisions receive a high effectiveness rating.

4.5.5. Efficiency evaluation – Benefits and Costs

167. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 11: Benefits and costs for the Water Quantity provisions.

BENEFITS	COSTS
Environmental	
▪ Will retain a more natural flow regime during lower flow conditions providing ecosystem health protection. ▪ Provides optimum flow protection for tuna and brown trout. ▪ Provides good flow protection for macroinvertebrates and other native fish. ▪ Provides good flow protection for macroinvertebrates and other native fish. ▪ Minimal effect on the ability of the river to have freshes and flushing flows.	▪ Still some potential for adverse effects at low flows from stock and domestic water takes.
Cultural	
▪ Maintain opportunities for cultural practices such as mahinga kai.	▪ There are no expected cultural costs from the proposed water quantity provisions in Plan Change 6.
Social	
▪ Still allows for domestic and small community takes as permitted activities. ▪ Larger community supplies are given some priority by being able to take below the minimum flow.	▪ There are no expected social costs from the proposed water quantity provisions in Plan Change 6.
Economic	
▪ Meeting the objectives and target attribute states will result in better water quality of the rivers in the catchment. This may result in more tourism opportunities as the rivers will offer better trout fishing. If fishing tourism within the catchment increases, this would provide economic benefits to the local community. ▪ However, these benefits are hard to estimate and quantify. ▪ Overall, there is potential for a small economic benefit resulting from Plan Change 6.	▪ Potential to restrict future economic growth from irrigation opportunities as storage will need to be available. ▪ However, unlikely to be job losses or employment restriction as there are currently no irrigation takes. ▪ New water takes such as irrigation and dairy shed water would require on site storage. The river system would not be available as a source of water for perhaps 6 months of the year.

168. From an efficiency perspective, if multiple benefits can be gained by a single intervention, the cost efficiency of that intervention increases. In this case, the proposed flow regime provides benefits across a range of values such as ecosystem health, mahinga kai and trout fishing. It is an important management tool in terms of giving effect to the environmental outcomes.

169. The approach imposes a relatively high level of environmental protection from any large water takes that may occur in the future. Having the provisions in place prior to any consents being granted avoids the environmental and economic consequences of over-allocation that many other catchment plans are required to manage.

170. The proposal can also be considered efficient because it works within the existing allocation framework from the TRMP but also allows a specific flow regime for the catchment plan area.

171. Additional restrictions for permitted activities are not considered efficient as they would be difficult to monitor and would create an inconsistent approach to activities that are common throughout the region – domestic water use and stock water supplies.

172. The environmental, social and cultural benefits are considered to outweigh the costs and overall, the efficiency rating of Plan Change 6 is considered to be high.

4.5.6. Risk of acting or not acting if there is uncertain or insufficient information

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

174. There is sufficient information available on river flows and ecological health for the Motu River to support this approach. However, there is no flow information available for the Koranga River (or other waterways within the catchment plan area). Given the relatively conservative approach proposed for the Motu River, the same flow principles can be applied to any other water takes within the catchment:

- Median flow as the minimum flow for consented takes
- Allocation cap of 30% MALF
- Maximum pumping rate of 10 litres/second

175. It would mean that some flow modelling or prediction would be required if a water take was proposed. If the consent was granted, monitoring of the flow would also be required.

176. The proposed provisions do not impose a greater or lesser restriction than existing national environmental standards.

4.6. Evaluation of Point Source Discharges Provisions

4.6.1. Introduction

177. This section evaluates the appropriateness of provisions of proposed Plan Change 6 policies and rules in relation to point source discharges.

178. Point source discharges can be the most obvious contributor to poor water quality. They are also often the easiest type of discharge to treat and reduce impact, because the single source enables an efficient treatment method.

179. However point source discharges have been relatively strongly regulated for several decades in Tairāwhiti, hence the "low hanging fruit" opportunities for further improvement in treatment are more limited. Within the Upper Mōtū Catchment Plan area the main point source discharges and the contaminants they carry are:

- Roading stormwater – discharges of sediment, heavy metals and hydrocarbons
- Septic tanks – nutrients, E.coli
- Landfill leachate from the Mātāwai landfill – nutrients, E.coli, heavy metals, pesticides
- Dairy farm effluent from the two dairy farms – nutrients, E.coli
- Discharge of sediment from the quarries in the catchment
- Discharge of sediment from the truck wash in the catchment.
- Illegal discharges of stock truck effluent – nutrients, E.coli, gross pollution.

180. In the Upper Mōtū Catchment Plan area, E.coli, sediment and nutrient contamination are key issues.

181. Septic tanks are currently subject to standards and monitoring within the TRMP. While some tanks may be non-compliant, faecal source tracking has shown that septic tanks are not detectable sources of E.coli within the catchment.

182. Monitoring of the Mātāwai landfill also identifies that it is a very minor source of heavy metals, pesticides, and other contaminants.

183. Sediment tracing has shown that riverbank erosion is the main source of sediment. Resource consents are in place for the two quarries in the catchment and are being sought for the truck wash. The quarry consents are for 35 years until June 2055, so are recommended to be reviewed within a 5-year timeframe.

184. Resource consents for discharges are in place for the two dairy farms within the catchment. Monitoring indicates that they are in a very high degree of compliance with these resource consents and are well managed farms.

185. Illegal discharges of stock effluent are a concern. However they are infrequent, and camera monitoring to date has been unable to identify the culprits. While of concern, they are not considered to be a significant source of the water quality problems in the Upper Mōtū Catchment.

186. The proposed approach recognises that point source discharges within the Upper Mōtū Catchment are already the subject of a high degree of management. While there is concern that the dairy farms may be impacting negatively on water quality, this is able to be addressed through the existing regulatory regime.

187. Any new industries or activities seeking to discharge contaminants of concern will be subject to existing Resource Consent requirements under the TRMP, with policy being clear that discharge of contaminants of concern cannot result in the further degradation of water quality.

188. The following is a summary of the proposed provisions:

- Objectives and Target Attribute States as outlined in Section 4.4.2.
- Non-regulatory methods identified in the action plan.

4.6.2. Relevant TRMP Objectives

189. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. The objectives relevant for this topic is:

Table 12: Relevant current and proposed TRMP objectives for the Point Source Discharge provisions.

RPS Objective (TRMP)	**Text of objective**
B6.2.1.1	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.
B6.2.1.2	The quality of freshwater is maintained and is improved where it is degraded or does not meet the relevant objectives for the freshwater unit.
B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.10	The mauri of waterbodies is recognised and provided for and action is taken to restore the mauri of degraded waters.
RPS Objective (Plan Change 6)	**Text of objective**
RPS Objective 1	Within 50 years the mauri of freshwater is protected and enhanced for the full extent of the Upper Mōtū Catchment Plan area within Te Tairāwhiti.
RPS Objective 2	The Upper Mōtū Catchment Plan area rivers and tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to support the productive and economic wellbeing of the Mōtū and Matawai communities provided that it does not compromise the health and wellbeing of waterbodies. Sediment and E.coli no longer make their way into the waterways.
RPS Objective 5	Sediment inputs are reduced across the Upper Mōtū and Upper Koranga river catchments and riverbank erosion is substantially reduced. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom lines unless prevented by naturally occurring processes and there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.

RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

4.6.3. Reasonably practicable options and effectiveness evaluation

Table 13: Evaluation of reasonably practicable options for Catchment provisions for Point Source Discharge provisions.

Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo	
• Existing provisions in the Tairāwhiti Plan • The policies and rules provide guidance for discharges if no additional methods were considered necessary	• The TRMP policy does not consider the specific contaminants of concern in the Upper Mōtū Catchment
Option 2: Plan Change 6 (Preferred)	
• Specific policy guidance around the contaminants of concern; • A consent review of the resource consents for the quarry discharges • Action Plan Non-regulatory projects to develop and implement specific measures to address water quality where this is degraded	• Point source discharges are not a major source of contaminants in the catchment. • The existing point source discharge rules in the Tairawhiti Resource Management Plan are fairly restrictive - most activities require a Discretionary Activity resource consent. • Additional policy guidance will provide direction about the contaminants of concern (E.coli, sediment, nutrients) and how these should be managed through the resource consent process. • There is monitoring of the existing point source discharges which has identified some very good practices, and where appropriate enforcement mechanisms have been used to improve practices. • A consent review of the resource consents for the quarry discharges will ensure that discharge limits recognise the significance of sediment discharges to water quality in the catchment, and that these point source discharges do not result in further degradation of water quality.
Option 3: More restrictive provisions	
• Specific rules for the discharge of contaminants of concern	• Point source discharges are not a major source of contaminants in the catchment. • E.coli and sediment (the main contaminants of concern) are issues throughout the entire Tairāwhiti Region. For this reason there is already a comprehensive rule framework for point source discharges in the TRMP with most discharges requiring a Discretionary Activity resource consent. There is no identified improved environmental

	benefit from having specific rules that apply to the Upper Mōtū Catchment for these type of discharge.

190. Point source discharge management (and treatment of contaminants prior to discharge) are known and effective measures. The proposed provisions target the highest risk point source discharge activities within the catchment plan area; dairy farming, quarries and any future significant point source discharges.

191. An existing monitoring and compliance framework is in place for the activities and the policy guidance will assist in ensuring that assessment and management of resource consents focuses on addressing the key water quality issues and contaminants of concern within the catchment.

192. Overall, it is considered that the Plan Change 6 provisions for point source discharges will achieve the proposed vision (RPS objectives) and environmental outcomes for the catchment meaning these provisions receive a high effectiveness rating.

4.6.4. Efficiency evaluation – Benefits and Costs

193. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 14: Benefits and costs for Point source discharges provisions.

BENEFITS	COSTS
Environmental	
▪ Policy guidance will support the development of appropriate mitigations for point source discharges which address the specific water quality issues in the catchment. ▪ The existing requirement for point source discharges to gain resource consent means that any new activities will have a compliance monitoring framework in place. ▪ The review of the quarry resource consents will ensure that best practice treatment measures and discharge standards are in place for sediment.	▪ There are no expected environmental costs from the proposed point source discharge provisions in Plan Change 6.
Cultural	
▪ Policy is able to emphasise the cultural concerns which must be addressed in resource consents	▪ There are no expected cultural costs from the proposed point source discharge provisions in Plan Change 6.
Social	
▪ Policy guidance is able to address specific community concerns within the catchment.	▪ There are no expected social costs from the proposed point source discharge provisions in Plan Change 6.
Economic	

▪ No additional regulatory costs than those that already exist	▪ Some cost for review of the two existing resource consents – may be additional costs for treatment. ▪ However, unlikely to be job losses or employment restriction

194. The environmental, social and cultural benefits are considered to outweigh the costs and overall therefore the efficiency rating of Plan Change 6 is considered to be high.

4.6.5. Risk of acting or not acting if there is uncertain or insufficient information

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

196. There is sufficient information available on the effects of point source discharges to support this approach.

197. The proposed approach is considered low risk as it fits within the existing framework for point source discharges, which requires best practice management and treatment.

198. The proposed provisions do not impose a greater or lesser restriction than existing national environmental standards.

4.7. Evaluation of Nutrient Management Provisions

4.7.1. Introduction

199. This section evaluates the appropriateness of provisions of Plan Change 6 in relation to the policies and rules proposed within the Upper Mōtū Catchment Plan area in relation to nutrient management.

200. New Zealand's freshwaters are naturally very low in nutrients. As a consequence, nutrient discharges to freshwater – particularly of nitrogen or phosphorus nutrients can have significant adverse effects on water quality.

201. Nutrient discharges to freshwater most commonly occur in the following ways:

- Direct point source discharges to water – from septic tanks, industrial or commercial uses, effluent storage systems, stormwater, landfills or other activities
- Diffuse or non-point source discharges from either direct overland flow to surface waterbodies, or through the soil profile (leaching) to groundwater which then flows into rivers, streams, wetlands and lakes. The main types of non-point source discharges are:
    - Urine from stock grazing discharging through the soil profile
    - Direct run-off or direct deposition from stock excrement
    - Fertiliser application to farmland - both discharge through the soil profile, and potentially (depending on timing, quantity and application method) through runoff or direct deposition to waterbodies.

202. Excessive quantities of nutrients entering freshwater leads to what is called eutrophication. Common signs of eutrophication are algal and periphyton blooms, presence of Phormidium toxic algae in large quantities, lowered dissolved oxygen levels and fish deaths.

203. At very high levels nutrients can also be directly poisonous to aquatic life – called ecosystem toxicity.

204. The key nutrients of concern and their effects are:

- **Nitrate nitrogen (NO3-)** – the most common form of nitrogen in impacted waterbodies and a key driver of eutrophication. Nitrate nitrogen is also toxic to ecosystems (and at higher levels people).
- **Ammonia (NH4-)** – this is the most directly ecotoxic form of nitrogen and therefore is of principle concern in relation to ecosystem health and direct death of sensitive species in all types of freshwaters. Ammonia becomes more or less available depending on other factors of water quality such as pH and temperature.
- **Total Nitrogen (TN)** – this is a particular concern in relation to the trophic state of lakes and wetlands, where natural nitrogen levels (in all forms) are very low. The environment in lakes and wetlands means that chemical reactions can occur which make nitrogen become bioavailable, therefore the Total Nitrogen levels are the key attribute. Total Nitrogen levels are also a key indicator for management of eutrophication effects in all freshwaters.
- **Total Phosphorus (TP)** – this is a particular concern in relation to the trophic state of lakes and wetlands, where natural phosphorus levels (in all forms) are very low. The environment in lakes and wetlands means that chemical reactions can occur which make phosphorus become bioavailable, therefore the Total Phosphorus levels are the key attribute. Because Phosphorus is not very soluble, it commonly adheres to sediment particles. Soil and rock in the Gisborne Region is generally naturally high in phosphorus. For this reason, there is a strong correlation between sediment and total phosphorus levels.
- **Dissolved Reactive Phosphorus (DRP)** – is the bioavailable/dissolved portion of phosphorus. It is a critical contaminant in terms of eutrophication.

205. In the Upper Mōtū Catchment nutrients and eutrophication are a concern in some areas, but in others nutrient levels are generally good. Because of the naturally high levels of phosphorus in the soils and rock of much of the Upper Mōtū Catchment, where there are sediment problems, they are accompanied by very high levels phosphorus.

206. As a consequence, the amount of nitrogen available in the freshwaters becomes of critical importance – as in the face of relatively unlimited quantities of phosphorus, algal blooms will often be driven by the availability of nitrogen.

4.7.2. Relevant provisions within Plan Change 6

207. The following is a summary of the proposed provisions:

- Objectives and Target Attribute States as outlined in Section 4.4.2.
- Upper Mōtū Catchment Plan area specific rules that restrict:
  - Conversion of land to dairy support land,

- Conversion of land to a dairy farm, and
- Expansion of winter intensive grazing.

- These rules replace Clauses 18, 19, 22, 23 and 30 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020 and have been tailored specifically to reflect the need for greater stringency in the Mōtu Catchment Plan area.

4.7.3. Relevant TRMP Objectives

208. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. The objectives relevant for this topic is:

Table 15: Relevant current and proposed TRMP objectives to the nutrient management provisions.

RPS Objective (TRMP)	**Text of objective**
B6.2.1.1	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.
B6.2.1.2	The quality of freshwater is maintained and is improved where it is degraded or does not meet the relevant objectives for the freshwater unit.
B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.10	The mauri of waterbodies is recognised and provided for and action is taken to restore the mauri of degraded waters.
RPS Objective (Plan Change 6)	**Text of objective**
RPS Objective 1	The mauri of freshwater is protected and enhanced for the full extents of the Upper Mōtū and the Upper Waioeka – Otara Catchments.
RPS Objective 2	The Mōtū River and its tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to provide for the productive and economic wellbeing of the Mōtū community. Sediment and E.coli no longer make their way into the waterways.
RPS Objective 5	Sediment inputs are reduced across the Upper Mōtū and Upper Koranga rivers and riverbank erosion is substantially reducted. Suspended and deposited sediment levels in the rivers have reduced

	to levels above national bottom linesand there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.
RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

4.7.4. Reasonably practicable options and effectiveness evaluation

Table 16: Evaluation of reasonably practicable options for nutrient management provisions.

Option	Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo		
• Existing provisions in the Tairawhiti Plan; • Existing provisions in the NESFW 2020 in relation to synthetic nitrogen fertiliser and farming intensification; • Existing provisions in the Resource Management Stock Exclusion Regulations 2020;		• The Upper Mōtū Catchment has been identified as being of significant risk of eutrophication and is close to a tipping point for degradation. For this reason it was prioritised for a catchment plan through Gisborne's Progressive Implementation Plan. • Existing provisions in the TRMP are considered to be insufficient to prevent water quality decline if further intensification is proposed as the TRMP does not restrict intensification. • NESFW fertiliser provisions are based on dairy farm requirements and are not sufficient to address excessive fertiliser use in the drystock sector.
Option 2: Plan Change 6 (Preferred)		
• Existing provisions in the Tairawhiti Plan; • Existing provisions in the NESFW 2020 in relation to synthetic nitrogen fertiliser and farming intensification; • Existing provisions in the Resource Management Stock Exclusion Regulations 2020; • Policy guidance specific to the catchment plan area; • Rules that make the temporary NESFW standards permanent for dairy		• The proposed provisions manage diffuse and point source discharges of nutrients but recognise that currently the waters are not heavily eutrophied. • The existing nutrient management standards in the Tairawhiti Plan and Resource Management Regulations are in the early stages of implementation so the effectiveness of these approaches has yet to be reflected in the water quality trends. • Nutrient budgeting is required as part of the Gisborne Farm Environment Plan requirement. Currently about half of the farmers in the catchment plan area have completed Farm Environment Plans over the last 18 months and the implementation of these will not be reflected in the water quality trends. Completing Farm Environment Plans for all properties in the catchment is identified as a high priority action within the Action Plan. • A significant amount of non-regulatory fencing and riparian planting work has occurred in recent years, which will also not be reflected in the water quality trends.

conversions, dairy support and irrigation and more tailored to the Upper Mōtū Catchment Plan area issues; • Non-regulatory methods identified in the action plan	• Resource consents for nutrient discharges from the two dairy farms in the catchment are due for renewal within the next 3 years. • Additional non-regulatory fencing and planting and preparation of Farm Environment Plans is planned through the Motu Catchment Group as well as being identified in the Action Plan. • Allowing the existing regulatory and non-regulatory framework to be implemented will better inform any further requirements upon reviewing the Action Plan in five years. • Including in stream limits for Total Nitrogen and Total Phosphorus within the Upper Mōtū Catchment Plan provides a key mechanism to ensure that any resource consents in the catchment are managed to avoid any further trend of eutrophication
Option 3: More restrictive provisions	
• Option 2 plus limits for maximum nutrient losses from farms, requirements for septic tank upgrades, review of resource consents for nutrient discharges	• Additional and more restrictive nutrient management standards will increase the financial and administrative burden on farmers and the wider community. It will also add more confusion and stress during a period where numerous national regulations and standards are being imposed. • Recent research into the use of nutrient budgeting tools such as Overseer indicates that they are not appropriate for inclusion in regulation. Overseer is already appropriately used as part of assessment of dairy farm discharge consents.

209. Requiring a combination of nutrient budgeting within Farm Environment Plans, discharge consents for dairy farm effluent, resource consents for dairy conversions and stock exclusion from water bodies combine a range of known and effective best practice measures to reduce contamination and eutrophication.

210. The proposed provisions target the highest risk nutrient activities within the catchment plan area; dairy farming, nitrogen fertilizer use, intensive grazing, dairy support and cattle and deer on low slope land. It will also be relatively easy to judge compliance with the proposed provisions.

211. Overall, it is considered that the Plan Change 6 provisions for nutrient management will achieve the proposed vision (RPS objectives) and environmental outcomes for the catchment meaning these provisions receive a high effectiveness rating.

4.7.5. Efficiency evaluation – Benefits and Costs

212. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 17: Benefits and costs for the nutrient management provisions.

BENEFITS	COSTS
Environmental	
▪ Stock exclusion from water bodies on low slope land and for intensive stock grazing will help mitigate nutrient related water quality issues that are increasing in significance. ▪ Riparian planting gives a wide range of co-benefits – shading and improved habitat for freshwater species, greater biodiversity and reduced algal blooms. ▪ Maximum limits for synthetic fertiliser use, and controls on further dairy farming conversion are specifically targeted at the activities that are most likely to generate excessive nutrient losses. ▪ The requirement for intensive farming activities to meet the permitted activity standards immediately will mean that water quality should not degrade further in those situations. ▪ In stream limits provide clear benchmarks for the avoidance of further eutrophication.	▪ Poor water quality may persist in some areas as the proposed provisions are implemented.
Cultural	
▪ Increased opportunities for cultural practices such as mahinga kai	▪ There will be a transitional period where cultural practices such as mahinga kai may still be adversely affected by poor water quality.
Social	
▪ Improved amenity and landscape values of waterways with less stock access. ▪ Amenity and recreational benefits with reduced nutrient related water quality issues.	▪ There will be a transitional period where poor water quality may persist as the proposed provisions are implemented. ▪ Increased stress on landowners as a result of increased regulatory requirements and the associated costs.
Economic	
▪ No additional regulatory costs than those that already exist ▪ Alternative economic opportunities through fencing and planting initiatives ▪ Nutrient budgeting can deliver positive financial benefits to farmers, but avoiding wasting money on excessive fertiliser.	▪ Potential to restrict economic growth and in particular further that resulting from intensification of land uses. However, unlikely to be job losses or employment restriction. ▪ The stock exclusion standards require stock exclusion rather than permanent fencing, meaning that relatively low-cost measures such as electric fencing can be used in some situations.

- Direct costs for fencing but also ongoing management costs for riparian areas such as weed control.
- Deer farmers will have larger fencing costs.

213. Nutrient management is closely aligned with other issues such as stock exclusion and farming intensification.

214. While the main outcome of the approach to nutrient management is to reduce the nutrient load in water bodies, other benefits can be realised through improved riparian management. For example:

- riparian planting can improve shading and aquatic habitat values, as well as reduce sediment and E.coli loading;
- measures to reduce sediment levels in the waterways (principally stock exclusion) will have co-benefits in reducing DRP levels in particular.

215. From an efficiency perspective, if multiple benefits can be gained by a single intervention, the cost efficiency of that intervention increases.

216. The environmental, social and cultural benefits are considered to outweigh the costs and overall, the efficiency rating of Plan Change 6 is considered to be high.

4.7.6. Risk of acting or not acting if there is uncertain or insufficient information

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

218. There is sufficient information available on the effects of nutrient management to support this approach.

219. The proposed provisions impose a slightly greater restriction than existing national environmental standards. The relevant national environmental standards provide for provisions to be more stringent.

4.8. Evaluation of Stock Exclusion Provisions

4.8.1. Introduction

220. When livestock enter waterbodies they can contaminate the water and damage the banks. This affects the ability of people to use water bodies for recreation, fishing and mahinga kai. It also impacts on ecological values. In the Motu Catchment Plan area, E.coli and sediment contamination are key issues. Both can be caused by stock access to rivers, streams and wetlands.

221. Direct deposition of dung into water bodies and overland flows from paddocks are the most likely source of the E.coli bacteria in the catchment plan area. Faecal source tracking demonstrates a ruminant signature is present across all sampled locations.

222. Direct deposition presents the greatest risk to human health during low flow conditions, when recreational activities such as swimming are most likely. Overland flows occur during rain events and are likely to be the biggest contributor to E.coli on an annual average basis.

223. Sediment tracing has shown that river bank erosion is the main source of sediment. Where stock have access to the river bed and riparian margins they can contribute to bank erosion and collapse. Heavy livestock such as cattle and deer generally have the greatest impact.

224. Fencing waterways from stock is well underway within the catchment plan area and is a continuing process as time and resources allow. There has been significant investment to date through the Motu Catchment Group as well as various individual farmers fencing and retiring riparian areas.

225. At this stage, it is unclear how the efforts to date impact on the water quality states that have been identified. This will need to be monitored over the coming years to better understand the effectiveness of existing investment and regulations.

4.8.2. Relevant provisions within Plan Change 6

226. The following is a summary of the proposed provisions:

- Inclusion of five additional policies
- Upper Mōtū Catchment Plan area specific rules that require stock exclusion for:
    - Dairy support land,
    - Expansion of winter intensive grazing
- These rules replace Clauses 22,23 and 30 of the Agricultural Intensification Temporary Standards in the NES – Freshwater 2020 and have been tailored specifically to reflect the need for greater stringency in the Mōtu Catchment Plan area.
- Existing winter intensive grazing remains subject to the existing NES – FW and TRMP provisions
- Non-regulatory methods identified in the action plan.

4.8.3. Relevant TRMP Objectives

227. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. The objective(s) relevant for this topic is:

Table 18: Relevant current and proposed TRMP objectives to the Stock Exclusions provisions.

RPS Objective (TRMP)	Text of objective
B6.2.1.1	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.
B6.2.1.2	The quality of freshwater is maintained and is improved where it is degraded or does not meet the relevant objectives for the freshwater unit.

B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.10	The mauri of waterbodies is recognised and provided for and action is taken to restore the mauri of degraded waters.
RPS Objective (Plan Change 6)	**Text of objective**
RPS Objective 1	The mauri of freshwater is protected and enhanced for the full extents of the Upper Mōtū and the Upper Waioeka – Otara Catchments.
RPS Objective 2	The Mōtū River and its tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to provide for the productive and economic wellbeing of the Mōtū community. Sediment and E.coli no longer make their way into the waterways.
RPS Objective 5	Sediment inputs are reduced across the Upper Mōtū and Upper Koranga rivers and riverbank erosion is substantially reducted. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom linesand there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.
RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

4.8.4. Reasonably practicable options and effectiveness evaluation

Table 19: Evaluation of reasonably practicable options for stock exclusion provisions.

Option	Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo		
• Existing provisions in the Tairawhiti Plan; • Resource Management Stock Exclusion Regulations 2020; • Existing provisions in the NESFW regarding farming intensification;		• Farming intensification has been identified as a significant threat to water quality in the Upper Mōtū Catchment and the river is close to a tipping point for degradation. For this reason it was prioritised for a catchment plan through Gisborne's Progressive Implementation Plan. • Existing provisions in the TRMP are considered to be insufficient to prevent water quality decline if further intensification is proposed as the TRMP does not restrict intensification.

Option 2: Plan Change 6 (Preferred)	
• Existing provisions in the Tairawhiti Plan; • Resource Management Stock Exclusion Regulations 2020; • Rules that make the temporary NESFW standards permanent for dairy support and new winter intensive grazing and more tailored to the Upper Mōtū Catchment Plan area issues; • Non-regulatory methods identified in the action plan	• The existing stock exclusion standards are in the very early stages of implementation so the effectiveness of these provisions is still not clear. • A significant amount of non-regulatory fencing and riparian planting work has also occurred in recent years, which will not be reflected in the water quality trends. • Additional non-regulatory fencing and planting is planned through the Motu Catchment Group as well as being identified in the Action Plan. Allowing the existing regulatory and non-regulatory framework to be implemented will better inform any further requirements upon reviewing the Action Plan in five years. • The proposed provisions and additional policy guidance for new intensive farming activities will also ensure stock access to waterways will be appropriately managed for those situations. • Essentially, the proposed provisions aim to exclude stock from waterbodies in higher-risk situations (cattle, deer and intensive farming) and this is considered appropriate to achieve the objectives. Stock exclusion has been identified as a high impact, high priority action within the Action Plan. It will help prevent direct deposition of dung while enabling broader riparian management (such as fencing off critical source areas and riparian planting) to mitigate E.coli transport via overland flow. It will also assist in protecting river banks from stock trampling and allow vegetation to establish and further assist with bank stability.
Option 3: More restrictive provisions	
• This option would see specific additional stock exclusion requirements in the Upper Mōtū Catchment Plan.	• The existing stock exclusion standards are in the very early stages of implementation so the effectiveness of these provisions is still not clear. • A significant amount of non-regulatory fencing and riparian planting work has also occurred in recent years, which will not be reflected in the water quality trends. • Additional and more restrictive stock exclusion standards were not supported as this would increase the financial and administrative burden on farmers and the wider community. It will also add more confusion and stress during a period where numerous national regulations and standards are being imposed.

228. Requiring stock exclusion from water bodies is a known and effective best practice measure to reduce contamination and river bank damage. The proposed provisions target the highest risk stock activities within the catchment plan area; intensive farming, winter intensive grazing, dairy support and cattle and deer on low slope land.

229. It will also be relatively easy to judge compliance with the proposed provisions.

230. Overall, it is considered that the Plan Change 6 provisions for stock exclusion will achieve the proposed vision (RPS objectives) and environmental outcomes for the catchment meaning these provisions receive a high effectiveness rating.

4.8.5. Efficiency evaluation – Benefits and Costs

231. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 20: Benefits and costs for the Stock Exclusion provisions.

BENEFITS	COSTS
Environmental	
▪ Exclusion from water bodies on low slope land and for intensive stock grazing will help mitigate water quality issues that are increasing in significance. ▪ Riparian planting gives a wide range of co-benefits – shading and improved habitat for freshwater species, greater biodiversity and reduced algal blooms. ▪ The requirement for intensive farming activities to meet stock exclusion standards immediately will mean that water quality should not degrade further in those situations.	▪ Poor water quality may persist in some areas as the proposed provisions are implemented.
Cultural	
▪ Increased opportunities for cultural practices such as mahinga kai	▪ There will be a transitional period where cultural practices such as mahinga kai may still be adversely affected by poor water quality.
Social	
▪ Increased opportunities for swimming and recreation. ▪ Reduced human health risks. ▪ Improved amenity and landscape values of waterways with less stock access	▪ There will be a transitional period where poor water quality may persist as the proposed provisions are implemented. ▪ Increased stress on landowners as a result of increased regulatory requirements and the associated costs.
Economic	
▪ No additional regulatory costs than those that already exist ▪ Alternative economic opportunities through fencing and planting initiatives	▪ Treasury analysis identified that of all the actions within the Government's Action for Healthy Waterways work programme, stock exclusion costs dominated. ▪ Potential to restrict economic growth and other spending opportunities. However, unlikely to be job losses or employment restriction.

- The standards require stock exclusion rather than permanent fencing, meaning that relatively low-cost measures such as electric fencing can be used in some situations.
- Direct costs for fencing but also ongoing management costs for riparian areas such as weed control.
- Deer farmers will have larger fencing costs.

232. Stock exclusion is closely aligned with other issues such as nutrient management and farming intensification. There are multiple potential benefits of stock exclusion.

233. While the main outcome of stock exclusion in this context is to reduce the sediment and faecal load in water bodes, other benefits can be realised through improved riparian management.

234. For example, riparian planting can improve shading and aquatic habitat values, as well as reduce phosphorus loading. From an efficiency perspective, if multiple benefits can be gained by a single intervention, the cost efficiency of that intervention increases.

235. However, riparian management can be complex and managing riparian margins for minimising runoff (grasses) can sometimes conflict with managing it for shade and aquatic habitat. For this reason, permanent fencing and riparian planting is not directly required through the stock exclusion standards.

236. However, non-regulatory support for best practice and funding for riparian vegetation establishment is a focus of the Action Plan. This will allow individual landowners to identify the most efficient solution for their circumstances.

237. Additional regulation is not considered efficient as the existing regulations are only partially implemented. The Tairawhiti Plan provisions are applicable from July 2021 and the Resource Management Stock Exclusion Regulations from 2020 onwards. The Action Plan is required to be reviewed every five years and this would be an appropriate vehicle to revisit the water quality trends and the effectiveness of the proposed provisions.

238. The environmental, social and cultural benefits are considered to outweigh the costs and overall the efficiency rating of Plan Change 6 is considered to be high.

4.8.6. Risk of acting or not acting if there is uncertain or insufficient information

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

240. There is sufficient information available on the effects of stock access to support this approach.

241. The proposal is considered low risk as it works within the existing regulations but provides additional non-regulatory support. There is low risk of additional degradation from new farming intensification as the stock exclusion requirements apply straight away.

242. The proposed provisions do not impose a greater or lesser restriction than existing national environmental standards. The relevant national environmental standards provide for the Tairawhiti Plan provisions to be more stringent.

4.9. Evaluation of River Bed Activity Provisions

4.9.1. Introduction

243. River bed activities have the potential to adversely affect ecosystem health and generate excessive sediment. These are both key issues for the Mōtū Catchment Plan area. Given that sediment tracing has shown that river bank erosion is the main source of sediment within the river, activities within the river bed need to be managed carefully to avoid further river bank erosion.

244. Under the RMA and Tairawhiti Plan, a river bed is defined as:

in relation to any river—

i. *for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks:*

ii. *in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and*

245. There are a range of potential issues that can be caused by activities within river beds.

- Channelising (increasing the flood carrying capacity by re-aligning the channel and/or smoothing the banks) decreases the stability of the stream. This can result in unforeseen and unintended erosion upstream and downstream of the channelised section.
- Conversely, installing culverts and river crossings may restrict flood carrying capacity and also result in erosion and flooding effects.
- Removing objects that create roughness in the stream such as large woody debris and boulders can reduce the structural integrity of the stream and ecosystem health. These objects help control the morphology and hydraulics of the stream, and help regulate the storage of gravel and sediments.
- Modifying waterways with hard protection structures and constraining the natural shape of the river will likely have adverse effects on ecology and potentially result in erosion beyond the area that benefits from the protection works.

246. All of these aspects are relevant in the catchment plan area to some degree. Some river bed activities have been undertaken by land owners concerned about river bank erosion and/or the risk of flooding. Gisborne District Council also carries out small-scale extraction to protect culvert and bridge infrastructure on an ad hoc basis.

247. River morphology is very closely linked to sediment supply; changes to the rate of incoming material will change the nature of the channel morphology. The morphology of the river, in turn, will govern the availability of habitat within the river and the adjacent floodplain and riparian areas.

248. Rivers tend to meander by eroding material from the outer bank, downstream from bends, and depositing that material on the inner bank of the next bend. This pattern is repeated consistently along the Mōtū River.

249. It is also important to note that fish abundance is most strongly linked to stable stream morphologies with low bedload transport rates. Coarse substrate is very important for native species. A report done in 2002 (Richardson & Jowett, 2002) showed that fish abundance and diversity in East Cape rivers tended to drop off as sediment load increased, remarking that it is deposited sediment, rather than sediment in suspension, that may most strongly limit habitat availability for fish.

4.9.2. Relevant provisions within Plan Change 6

250. The following is a summary of the proposed provisions:

- Policy direction that avoids activities that contribute to river bank erosion and enabling activities that are beneficial.
- Rules that prohibit or discourage damming of rivers;
- Rules that further restrict river bed extraction activities;
- Non-regulatory actions that assist with better understanding river bank erosion.

4.9.3. Relevant TRMP Objectives

251. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. The objectives relevant for this topic is:

Table 21: Relevant current and proposed TRMP objectives to the River bed activity provisions.

RPS Objective (TRMP)	**Text of objective**
B6.2.1.1	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.
B6.2.1.2	The quality of freshwater is maintained and is improved where it is degraded or does not meet the relevant objectives for the freshwater unit.
B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.10	The mauri of waterbodies is recognised and provided for and action is taken to restore the mauri of degraded waters.
RPS Objective (Plan Change 6)	**Text of objective**
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to provide for the productive and economic wellbeing of the Mōtū community. Sediment and E.coli no longer make their way into the waterways.

RPS Objective 5	Sediment inputs are reduced across the Upper Mōtū and Upper Koranga rivers and riverbank erosion is substantially reducted. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom linesand there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.
RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

4.9.4. Reasonably practicable options and effectiveness evaluation

Table 22: Evaluation of reasonably practicable options for river bed activity provisions.

Option	Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo		
• Existing provisions in the Tairawhiti Plan;		• Disturbance of the bed of the Upper Mōtū River has been identified as a significant contributor to riverbank erosion and sedimentation. The existing TRMP provisions do not address that issue.
Option 2: Plan Change 6 (Preferred)		
• Existing provisions in the Tairawhiti Plan; • Policy direction that avoids activities that contribute to river bank erosion and enabling activities that are beneficial.		• Disturbance of the bed of the Upper Mōtū River has been identified as a significant contributor to riverbank erosion and sedimentation. The existing TRMP provisions do not address that issue. • Given the extent of erosion and the evidence of the geomorphological assessment it is considered that different rules for riverbed disturbance and damming in the Upper Mōtū Catchment are required. The existing TRMP rules will not be sufficient to manage the impacts of some types of activities in the beds of the mainstem river without significant adverse effects occurring.
Option 3: More restrictive provisions		
• Policy direction that avoids activities that contribute to river bank erosion and enabling activities that are beneficial; • Rules that prohibit or discourage damming of rivers; • Rules that further restrict river bed extraction activities; • Non-regulatory actions that assist with better		• Any river bed works will be specific to a particular location and activity and will require a specific assessment. Currently, the river bed policies do not have a strong focus on river bank erosion and geomorphological processes, which are key issues for the catchment plan area. • The policy direction avoids activities that contribute to river bank erosion and enables activities that are beneficial. • The hierarchy of solutions provides direction to resource users and decision makers as to the outcomes sought when work is required to address river bank erosion. • The existing rules and activity status are considered appropriate for managing river bed activities that may affect river bank erosion. Most activities that disturb,

understanding river bank erosion.	divert or introduce structures into a river bed will require a discretionary activity consent. • There are some permitted activity standards for culverts, stock bridges and other minor structures; the existing standards in the TRMP and NESFW are considered appropriate to manage these.

252. The proposal aims to strengthen the effectiveness of the existing TRMP provisions.

253. The provisions are considered effective in so much as they apply to activities that can be regulated. There will be continuing river bank erosion through natural processes and understanding the interaction between natural processes and human activities will improve the effectiveness of solutions in the future.

254. Overall, it is considered that the Plan Change 6 provisions for River Bed Activities will achieve the proposed vision (RPS objectives) and environmental outcomes for the catchment meaning these provisions receive a high effectiveness rating.

4.9.5. Efficiency evaluation – Benefits and Costs

255. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 23: Benefits and costs for River bed activity provisions.

BENEFITS	COSTS
Environmental	
▪ Avoids further river bed activities that may de-stabilise river banks and adversely affect aquatic ecology.	▪ Sediment pollution may persist in some areas as river bank erosion continues.
Cultural	
▪ Increased opportunities for cultural practices such as mahinga kai	▪ There are no expected cultural costs from the proposed riverbed activity provisions in Plan Change 6.
Social	
▪ Improved amenity and landscape values of waterways if a more natural river morphology is maintained.	▪ Increased stress on landowners as a result of increased regulatory requirements and the associated costs.
Economic	
▪ Minor regulatory costs to 3 farms compared to those that already exist ▪ Alternative economic opportunities	▪ The 3 farms unable to source gravel for their farm from the Upper Mōtū River will need to find alternative sources – either through an arrangement with another farm, or purchasing from a quarry. The cost of gravel is $70/m3 so assuming the full TRMP permitted activity take was utilised this would equate to $1050/farm/year = $3150 total cost/year.

256. The environmental, social and cultural benefits are considered to outweigh the costs and overall, the efficiency rating of Plan Change 6 is considered to be high.

4.9.6. Risk of acting or not acting if there is uncertain or insufficient information

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

258. There is still more work needed to understand the most effective approaches to manage riverbank erosion in the different parts of the Upper Mōtū River. The Action Plan identifies follow up work and research in this area.

259. The proposed provisions do not impose a greater or lesser restriction than existing national environmental standards.

260. Fish passage is appropriately dealt with through the NESFW. It is not considered necessary to include fish passage requirements specific to the Motu Catchment Plan area.

261. There is sufficient information available on the effects of River Bed Activities to support this approach.

4.10. Evaluation of Wetland Provisions

4.10.1. Introduction

262. Wetlands are an important part of our landscape and play a crucial role in maintaining the health of New Zealand's freshwater. Wetlands support a diversity of animal and plant life, including many native species.

263. In addition to providing habitat and ecosystem services, wetlands also provide benefits like storing carbon as peat, regulating water flow during storms, and purifying water by filtering out nutrients and sediments. They have cultural and spiritual significance for tangata whenua as a source of mahinga kai and resources such as raupo and harakeke.

264. Nationally, an estimated 90 percent of wetland habitats have been drained since pre-human settlement and this seems to be a continuing trend. At least 214 individual wetlands with an area of 1,247 hectares were lost between 2001 and 2016. 60 percent of New Zealand's remaining wetlands are estimated to be in a moderately to severely degraded state.

265. A 2017 report by NIWA estimated that there are 1.75% of the original wetlands remaining the Gisborne region (NIWA, 2017). It also highlighted that few of the water bodies examined sustained aquatic vegetation, and even fewer were without invasive species. In the Mōtū context, a recent wetland mapping exercise noted that:

- The extent of human modification within the Management Area, including extensive wetland drains visible in aerial imagery suggest that historically the extent of wetlands within the Upper Motu Management Area is likely to have been much greater than the current extent.

266. However, it is still likely that a disproportionate number of the remaining wetlands within the Gisborne region occur within the Upper Mōtū catchment plan area. There are also three regionally significant wetlands - at the Mātāwai Conservation Area, the Alcuin Wetland and the Mōtū Wetland.

267. There are ongoing risks to wetlands in the catchment with drainage work, stock grazing and vegetation clearance.

268. The NPS-FM and NESFW are the key statutory documents that relate to wetlands. The NPS-FM provides national direction and strategy for managing wetlands. The NESFW contains the rules and standards that apply; this document will replace the existing wetland provisions in the TRMP.

269. Throughout the catchment plan process, there was broad support for the protection of wetlands. However, there were also concerns about the implications of the national environmental standards and the lack of clarity as to how the rules and standards may apply – especially at a farm level. Fundamental to implementing the rules and standards in the NESFW, is clarity around what is and isn't a wetland. To this end, GDC engaged Morphum Environmental to undertake a desktop assessment to identify and classify wetlands within the catchment plan area.

270. Wetlands were classified in accordance with Wetland Types in New Zealand (Johnson & Gerbeaux, 2004). This is considered to be the best practice classification system for New Zealand wetlands and consists of a semi-hierarchical system covering hydrosystem, wetland class, structural class and vegetation composition.

271. The mapping was focused on identifying natural wetlands rather than artificial or improved pasture type wetlands. The report notes that there are a large number of artificially constructed farm ponds and pasture gullies which appear to have some wetland characteristics. Effort was made to delineate these wetland types but due to the abundance and prevalence of these wetland types it was not possible to delineate all within the project scope.

272. The following summarises the findings:

- A total of 784 unique wetlands were identified within the Upper Motu Management Area (Table 18). This is an increase of 404 polygons from the 380 included within the Management Area from the existing GDC mapping. These include wetlands with two hydrosystem types (palustrine and riverine) and six wetland classes. The most common wetland classes recorded were marsh and shallow water (primarily artificial farm ponds). Two large named wetlands, Mōtū wetland and Alcuin wetland, were included in the mapped wetland database.

Table 24: Summary of identified wetlands within the Upper Motu Catchment Plan Area.

Wetland Class	Number Identified
Bog	34
Ephemeral	19
Marsh	411
Seepage	4
Shallow water	274
Swamp	42
Total	**784**

- 313 of the mapped wetlands were assessed to meet the NPS-FM definition of a natural wetland. The large number of farm ponds identified within the Management Area is reflected in the 245 wetlands assessed as 'artificial' NPS-FM status. A further 216 wetlands were assessed as 'pasture' status due

to having been assessed to have a reduced probability of meeting the NPS-FM natural wetland definition due to the improved pasture exemption. 10 wetlands were assessed as 'induced' status due to the presence of anthropogenic modifications which may not have been constructed for the purpose of water detention or wetland creation.

273. As no field validation was included, a confidence assessment was included:

- A high confidence was given in instances where aerial imagery, topology, and geology support the same classification. A low confidence was given in instances where the wetland is partially obscured in aerial imagery due to trees or shadows, or land use (i.e. pasture grassland) introduced uncertainty to wetland classification.

274. It is anticipated that the mapping output from this project will be refined over time as Council manage and progressively improve their wetland inventories. This is also a requirement for the district council under the NPS-FM.

4.10.2. Relevant provisions within Plan Change 6

275. The following is a summary of the proposed provisions:

- Policy guidance specific to the catchment plan area;
- Rules that make the temporary NESFW standards permanent for:
- Dairy conversions
- Irrigation of dairy land
- Dairy support
- Non-regulatory methods identified in the action plan

4.10.3. Relevant TRMP Objectives

276. Section 32(1)(b) requires an examination of whether the provisions in a proposal are the most appropriate to achieve the objective. All objectives in the TRMP are intended to be read in their entirety and no single objective has more importance than another. The objective(s) relevant for this topic is:

Table 25: Relevant current and proposed TRMP objectives to the wetland provisions.

RPS Objective (TRMP)	Text of objective
B6.2.1.1	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.
B6.2.1.2	The quality of freshwater is maintained and is improved where it is degraded or does not meet the relevant objectives for the freshwater unit.
B6.2.1.4	Scheduled waterbodies and their margins, and the significant values of both outstanding waterbodies and wetlands, are protected or enhanced to provide for their values.
B6.2.1.10	The mauri of waterbodies is recognised and provided for and action is taken to restore the mauri of degraded waters.
RPS Objective (Plan Change 6)	**Text of objective**

RPS Objective 1	The mauri of freshwater is protected and enhanced for the full extents of the Upper Mōtū and the Upper Waioeka – Otara Catchments.
RPS Objective 2	The Mōtū River and its tributaries continue to be recognized locally and internationally as a significant destination for back country trout fishing. The waterways are safe for swimming, fishing and the harvesting of mahinga kai.
RPS Objective 3	The outstanding natural and scenic values of Te Wai o Ngahere FMU are maintained and protected from degradation. The FMU remains a bastion of high ecosystem health and ensures the catchment continues to be an important place for education, recreation and biodiversity.
RPS Objective 4	The productive landscape of the Farmlands and Settlements FMU continues to provide for the productive and economic wellbeing of the Mōtū community. Sediment and E.coli no longer make their way into the waterways.
RPS Objective 5	Sediment inputs are reduced across the Upper Mōtū and Upper Koranga rivers and riverbank erosion is substantially reducted. Suspended and deposited sediment levels in the rivers have reduced to levels above national bottom linesand there is a corresponding improvement in fish and freshwater insect health and abundance within the catchment area.
RPS Objective 6	The natural form and character of the Upper Mōtū River is improved – targeted recovery work along the riparian margin naturalises the channel morphology, reduces streambank erosion and supports freshwater biodiversity.

4.10.4. Reasonably practicable options and effectiveness evaluation

Table 26: Evaluation of reasonably practicable options for wetland provisions.

Option	Description	Effectiveness to Achieve the TRMP Objectives and NPSFM
Option 1: Status Quo		
	• Existing provisions in the Tairawhiti Plan; • Resource Management Stock Exclusion Regulations 2020; • Existing provisions in the NESFW	• The wetland provisions in the NESFW are in the early stages of implementation so their effectiveness is not clear at this point in time. However, it is recognised that the recent NESFW standards are more stringent than the existing TRMP provisions so will provide some additional protection from the previous regulatory provisions.
Option 2: Plan Change 6 (Preferred)		
	• Policy guidance specific to the catchment plan area; • Rules that make the temporary NESFW	• The proposal is to retain the existing wetland provisions in the NESFW. These standards are in the early stages of implementation so their effectiveness is not clear at this point in time. However, it is recognised that the recent NESFW standards are more stringent than the existing TRMP provisions so will provide some additional protection from the previous regulatory provisions.

standards permanent for: ○ Dairy conversions ○ Irrigation of dairy land ○ Dairy support • Non-regulatory methods identified in the action plan	• A significant amount of wetland fencing and planting work has also occurred in recent years, which will also not be reflected in the water quality trends. • The Action Plan includes additional non-regulatory actions such further wetland mapping and identification, stock exclusion from priority wetlands and restoration of priority wetlands. • Allowing the existing regulatory and non-regulatory framework to be implemented will better inform any further requirements upon reviewing the Action Plan in five years. • Fundamental to implementing the rules and standards in the NESFW, is clarity around what is and isn't a wetland. Building on the initial mapping exercise, field validation of wetlands would lend additional confidence to future wetland management and improvements. • No additional protection is required for the regionally significant wetlands. There are unlikely to be an (permitted) activities that could be undertaken within these wetlands; they are also fenced and separated from any land use activities that may adversely affect them.
Option 3: More restrictive provisions	
• More restrictive rules specific to wetlands in the catchment plan area; • Wider stock exclusion coverage than existing standards with wider setbacks from wetlands	• The wetland provisions in the NESFW are in the early stages of implementation so their effectiveness is not clear at this point in time. However, it is recognised that the recent NESFW standards are more stringent than the existing TRMP provisions so will provide some additional protection from the previous regulatory provisions. • Additional or more restrictive wetland standards will increase the financial and administrative burden on farmers and the wider community. It will also add more confusion and stress during a period where numerous national regulations and standards are being imposed. This is especially the case where the full extent of wetlands is only partially understood.

277. Requiring stock exclusion from wetlands is a known and effective best practice measure to reduce contamination and ecological damage. The proposed provisions target the highest risk stock activities within the catchment plan area; intensive farming, winter intensive grazing, dairy support and cattle and deer on low slope land.

278. The wider proposal is considered effective at achieving the objectives of the catchment plan. It recognises that all wetlands are of value and only permits situations in which activities in wetlands have acceptable/low levels of environmental impact. Most activities that are likely to impact wetlands will require resource consent. This will enable the consent authority to appropriately assess and manage the potential effects with a focus on the objectives relevant to the catchment plan area.

279. The Action Plan is required to be reviewed every five years and this would be an appropriate vehicle to revisit the water quality trends and the efficiency and effectiveness of the proposed provisions.

4.10.5. Efficiency evaluation – Benefits and Costs

280. The following table assesses the efficiency of provisions in Plan Change 6 in achieving the TRMP Objectives and Upper Mōtū Catchment Freshwater Outcomes.

Table 27: Benefits and costs for Wetlands provisions

BENEFITS	COSTS
Environmental	
▪ Stock exclusion from wetlands will help mitigate water quality issues associated with stock access. ▪ The requirement for new activities to meet the NESFW wetland standards will mean that the extent and health of wetlands should not degrade further. ▪ Non-regulatory methods will facilitate more wetland restoration projects and more appropriate wetland management.	▪ Poor water quality and habitat may persist in some areas as the proposed provisions are implemented.
Cultural	
▪ Increased opportunities for cultural practices such as mahinga kai as wetland health improves.	▪ There will be a transitional period where cultural practices such as mahinga kai may still be adversely affected by poor water quality and habitat.
Social	
▪ Increased opportunities for recreation with improved wetland health. ▪ Improved amenity and landscape values of waterways with less stock access. ▪ Improved knowledge and appreciation of wetland benefits through identifying and protecting wetlands.	▪ There will be a transitional period where poor water quality may persist as the proposed provisions are implemented. ▪ Increased stress on landowners as a result of increased regulatory requirements and the associated costs.
Economic	
▪ Does not impose land owner costs beyond those that already exist under the NESFW. ▪ Alternative economic opportunities through fencing and planting initiatives. ▪ Wetland restoration will have potential benefits such as contaminant filtering and flood protection, avoiding the need	▪ Potential to restrict economic growth and other spending opportunities. However, unlikely to be job losses or employment restriction. ▪ The standards require stock exclusion rather than permanent fencing, meaning that relatively low-cost measures such as electric fencing can be used in some situations.

for costly clean up and flood protection works in the future.	▪ Direct costs for fencing but also ongoing management costs such as weed control. ▪ Deer farmers will have larger fencing costs. ▪ There may be unknown costs where current activities occur in a wetland that has not been identified as such.

281. The wetland provisions have a connection with the stock exclusion provisions, which apply to wetlands also. However, the NESFW provisions have a much broader application and apply to numerous activities in and around wetlands. The efficiency and effectiveness of the stock exclusion provisions are discussed in more detail within that section.

282. A combination of the existing regulatory requirements with non-regulatory measures to build the information base, raise awareness and encourage restoration, is considered an efficient approach. Additional regulation is not considered efficient as the existing regulations have only been applicable since late 2020.

4.10.6. Risk of acting or not acting if there is uncertain or insufficient information

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

284. There is some risk and uncertainty with the approach to wetlands as the total number and extent of wetlands is still unknown. However, this risk and uncertainty will exist regardless of the outcomes of the catchment plan as the NESFW provisions will continue to apply.

285. There is some baseline information available (the Morphum report) which can help with field assessment but there will be a period where specific advice or assessment may be required to determine whether the wetland rules apply or not.

286. The proposed provisions do not impose a greater or lesser restriction than existing national environmental standards.

4.11. Conclusion

287. This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA.

288. The evaluation demonstrates that this proposal is the most appropriate option as:

- The Upper Mōtū Catchment Plan area has specific issues and values and the provisions have been tailored to address these.
- The objectives and policies provide direction and certainty to plan users on the outcomes expected for activities within the Upper Mōtū Catchment Plan area.

- The provisions have been updated in accordance with current best practice and put in place an appropriate framework for management to achieve the environmental outcomes sought by the community and required through the NPS-FM.

289. Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.

5. Planning context

5.1. Introduction

290. The Resource Management Act (RMA) 1991 is generally restrictive towards water and relies on resource consents and regional plans to enable access to water resources.

291. The following sections set out the various tests in the RMA relating to the consideration of these documents and how the Upper Mōtū Catchment Plan / Plan Change 6 meets them.

5.2. Resource Management Act 1991: Part 2 (Purpose and Principles)

292. Regional plans must be prepared in accordance with the provisions of Part 2 of the RMA.6 The purpose of the RMA is set out in Part 2, section 5 of the RMA:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

293. The RMA also sets out the following matters of national importance (in section 6), which all persons exercising functions and powers under the RMA must recognise and provide for:

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

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

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

[6] Section 66(1)(b), RMA 1991

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

(g) the protection of protected customary rights:

(h) the management of significant risks from natural hazards.

294. Section 7 of the RMA sets out other matters to which all persons exercising functions and powers under the RMA are directed to have particular regard:

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(ba) the efficiency of the end use of energy:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

(j) the benefits to be derived from the use and development of renewable energy.

295. Section 8 of the RMA requires that persons exercising functions and powers under it shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The Treaty principles are used in several statues but are not defined in legislation. The principles relate to the obligations of the Crown under the Treaty of Waitangi.

296. Te Puni Kōkiri have a guidance document called He Tirohanga o Kawa ki te Tiriti o Waitangi, A Guide to the Principles of the Treaty of Waitangi as expressed by the Courts and the Waitangi Tribunal.7 This guide has been prepared as a resource for policy analysts who are called upon to formulate policy and advise on the application of the Treaty principles.

297. The two parties to the Treaty must act reasonably towards each other and in utmost faith. Council's Te Tiriti Compass provides guidance on how Council wants to develop an effective and meaningful collaboration with tangata whenua and provide a long-term role in the future planning and decision making in the region.

- The Crown must make informed decisions (which will require consultation.
- The Crown must not unreasonably impede its capacity to provide redress for proven grievances.
- The Crown must actively protect Māori interests.

298. Sections 6-8 establish matters for consideration in decision-making under the RMA that contribute to the overall evaluation under section 5. There is a hierarchy across these sections, giving priority to matters of national importance under section 6 over the matters set out for consideration in sections 7 and 8.

[7] He Tirohanga o Kawa ki te Tiriti o Waitangi (tpk.govt.nz)

299. Plan Change 6 has been prepared in accordance with Part 2 of the RMA.

5.3. Resource Management Act 1991: Functions of Council

300. As a Unitary Authority, Gisborne District Council has prepared Plan Change 6 in accordance with a regional council's functions under section 30 of the RMA. Under Section 30, regional councils are required to give effect to the RMA through the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the natural and physical resources of the region.

301. In relation to freshwater management, regional councils are vested a wide range of powers and functions including:

- Control of the use of land for maintaining and enhancing water quality and aquatic ecosystems;
- Control of the use of land for maintaining water quantity;
- Control of the taking, using, damming, and diversion of water;
- Control of the quantity, level, and flow of water in any water body;
- Control of discharges of contaminants into or onto land, air, or water and discharges of water into water;
- The establishment of rules (if appropriate) to allocate the taking and use of water;
- Control of plants within any bed of a water body for the purpose of managing water quality, water quantity or natural hazards.
- The establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity.

5.4. Resource Management Act 1991: Sections 63-70 (Regional Plans)

302. Sections 63-70 of the RMA provide a framework for the purpose, content and process for developing regional plans.

303. The general RMA requirements that apply in preparing a change to a regional plan include:

- A regional plan should be designed to accord with, and assist the regional council to carry out, its functions so as to achieve the purpose of the RMA (sections 30,66, 66(1) and 63(1)).
- A rule in a regional plan must not be more lenient or stringent than a national environmental standard unless specifically allowed for in that standard (section 43(b)(1 - 3)).
- When preparing its regional plan a regional council must give effect to any national policy statement or New Zealand Coastal Policy Statement (section 62(3)). Although not alone, of particular relevance to this Plan Change is the National Policy Statement for Freshwater Management 2020 (NPSFM 2020).
- A regional plan must also record how a regional council has allocated a natural resource, if it has done so (section 67(3)).
- When preparing its regional plan the regional council shall give effect to any operative regional policy statement. The TRMP contains the part operative

Gisborne Regional Policy Statement for this purpose (section 65(6) and 67(3)(c)).

- The regional plan must not be inconsistent with (section 67(4)):
  - water conservation order, or
  - any other regional plan for the region, or
  - a determination or reservation of the chief executive of the Ministry of Fisheries made under section 186E of the Fisheries Act 1996.
- When preparing its regional plan the regional council must also:
  - have regard to any relevant management plans and strategies under other Acts, any relevant entry in the Historic Places Register and to various fisheries regulations (section 66(2)(c)); and
  - have regard to the extent to which the plan needs to be consist with regional policy statements, plans and proposed regional policy statements and plans of adjacent regional councils(section 66(2)(d)); and
  - take into account any relevant planning document recognised by an iwi authority (section 66(2A)(a)); and
  - recognise and provide for the management plan for the foreshore and seabed reserve located in its region (section 66(2A)(b)); and
  - not have regard to trade competition (section 66(3)).
- The formal requirement is that a regional plan must also state its objectives for the region, the policies to implement the objectives and the rules (if any) to implement the policies. A regional plan may state other matters, including issues, reasons, and expected environmental results (sections 67(1) and 66(2)).
- In making a rule the regional council must have regard to the actual or potential effect of activities on the environment (section 68(3)).
- There are special provisions for rules about protection of property from the effects of surface water, restricted coastal activities, flows or rates of use of water, some activities in the coastal marine area and contaminated land (section 68).
- There are special provisions that apply where a regional council provides in a plan that certain waters are to be managed for any purpose described in Schedule 3 of the RMA and includes rules in the plan about the quality of water in those waters (section 70A and 70B).
- There are also special provisions which deal with permitted activity rules about discharges, including the need for the Council to be satisfied that any significant adverse effects on aquatic life are not likely to arise as a result of a permitted discharge of a contaminant (section 70).

304. In preparing Plan Change 6, Council has been mindful of the Act's general requirements relating to regional plans.

5.5. National Policy Statement for Freshwater Management 2020 (NPS-FM)

305. Under section 67(3) of the RMA, Plan Change 6 must give effect to any national policy statement. The National Policy Statement for Freshwater Management 2020 (NPS-FM) is of particular relevant to this plan change.

306. The NPS-FM came into effect in September 2020. It contains numerous provisions that establish a framework for regional councils and communities to manage freshwater in their regions. The NPS-FM 202 has a range of differences from the previous versions of the NPS-FM, in particular the NPS-FM 2014 under which the operative TRMP freshwater provisions were prepared.

307. Central to the NPS-FM 2020 is the concept of Te Mana o te Wai, and the hierarchy of obligations around the management of freshwater. Within Section 1.3 of the NPS-FM 2020, the hierarchy of obligations is outlined as follows:

- first, the health and wellbeing of water bodies and freshwater ecosystems
- second, the health needs of people (such as drinking water)
- third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.

308. Another key difference in terms of the development of objectives, policies, rules, targets and limits is outlined in Section 1.6 Best Information. In particular, it states that a local authority:

- Must not delay making decisions solely because of uncertainty about the quality or quantity of the information available; and
- If the information is uncertain, must interpret it in the way that will best give effect to this National Policy Statement.

309. In terms of information around water quality and quantity within the Upper Mōtū Catchment Plan area, this is of variable quality. However the NPSFM 2020 makes it clear that even where the information is uncertain, the Council must not delay making decisions and must give effect to the NPSFM 2020.

310. The NPSFM outlines a range of matters that regional councils are required to implement. Council has determined that some aspects of the NPSFM will be given effect to through policies and rules that apply across the region, through a review of the regional freshwater provisions of the TRMP. However, Council is progressing other parts of the NPSFM through a series of catchment plans. The Upper Mōtū Catchment Plan is the first to be prepared under the NPSFM 2020.

311. The NPSFM provides a framework for the development of catchment plans - the National Objectives Framework (NOF). It is intended to be a nationally consistent approach to setting freshwater objectives, with flexibility for recognising local circumstances.

312. As outlined in Part 3 Subpart 1 of the NPS-FM, the implementation of Te Mana o te Wai requires regional councils to engage with communities and tangata whenua to determine how the concept may apply in their region. This process will be part of the wider freshwater work programme lead by Gisborne District Council's Strategic Planning Team.

313. As mentioned above, section 67(3)(a) of the RMA requires regional plans to give effect to National Policy Statements. The above listed objectives are implemented by specific policies in the NPSFM. Many of these policies are

directive to regional councils making or changing regional policy statements and plans.

314. National Policy Statements are required in themselves to give effect to the purpose of the RMA and Part 2 of that Act. Therefore Plan Change 6 giving effect to the NPS-FM will also be achieving Part 2 of the RMA as specific to the sustainable management of freshwater resources.

5.6. Regulations (including National Environmental Standards)

315. Regional plans must be prepared in accordance with any regulations, including any national environmental standards.[8]

316. Regulations and national environmental standards contain provisions that are essentially rules, so they are more directly relevant to plans than policy statements. They do provide guidance to policy statements in terms of the policy direction that can be supported in plans. There are currently eight national environmental standards in force:

- National Environmental Standards for Freshwater 2020 (NESF)
- National Environmental Standards for Air Quality 2004 (NESAQ)
- National Environmental Standard for Sources of Human Drinking Water 2007 (NESHDW)
- National Environmental Standards for Telecommunication Facilities 2008 (NESTF)
- National Environmental Standard for Electricity Transmission Activities 2009 (NESETA)
- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)
- National Environmental Standards for Plantation Forestry 2017 (NESPF)
- National Environmental Standards for Marine Aquaculture 2020 (NESMA).

317. There are regulations under the RMA that are in force[9], with the following being relevant to the plan change:

- Resource Management (Stock Exclusion) Regulations 2020
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2020
- This section summarises how the plan change observes these national environmental standards and regulations.

5.7. National Environmental Standards for Freshwater 2020 (NES-F)

318. The National Environmental Standards for Freshwater 2020 (NES-F) puts in place a number of regulations.

319. Some of these are regulations that Councils are not able to be less stringent than in their Regional Plans (although they may be more stringent). Others are

[8] Section 66(1)(ea) and (f), RMA 1991

[9] A full list of regulations can be found on the legislation website Resource Management Act 1991 No 69 (as at 13 April 2023), Public Act – New Zealand Legislation Alternatively regulations are also listed on the MfE website Regulations | Ministry for the Environment

described as "temporary" provisions once the Council has publicly notified its review of freshwater provisions to give effect to the NPS-FM 2020.

320. Provisions that the Council is not able to be less stringent than include:

- Standards for farming activities set out in Part 2, Subpart 1. These relate to feedlots and stockholding areas other than feedlots,
- Standards for winter intensive grazing in Part 2, Subpart 3,
- Standards for applications of synthetic nitrogen fertiliser to pastoral land in Part 2, Subpart 4
- Standards for a range of other activities that relate to freshwater in Part 3. In particular these relate to wetlands, reclamation of rivers, culvert, weirs and passive flapgates.

321. Provisions that are regarded as temporary standards that expire in 2025 include:

- Part 2, Subpart 2 - Agricultural intensification temporary standards – restricting conversions of plantation forestry to pastoral use, conversion of land to dairy farm, irrigation of dairy farms, use of land for dairy support, and
- Part 2 Subpart 3, intensification temporary standards restricting conversion of land to winter intensive grazing.

5.8. Resource Management (Stock Exclusion) Regulations 2020

322. The Stock Exclusion Regulations are of the greatest relevance to the Upper Mōtū Catchment Plan. The regulations require that the following activities must have stock excluded from any river greater than 1m wide (a "wide river"):

- Dairy cattle on any terrain
- Pigs on any terrain
- Dairy support on any terrain
- Beef cattle grazing intensively on any terrain
- Deer grazing intensively on any terrain
- Beef cattle or deer grazing on low slope land[10]

323. Within the Upper Mōtū Catchment there is very little land that meets the Stock Exclusion Regulations definition of low slope land – approximately 200 ha of the terrace system between the Mōtū Wetland and Mōtū village.

5.9. Resource Management (Measurement and Reporting of Water Takes) Regulations 2010

324. These regulations were introduced to ensure consistent measuring and reporting of actual water taken (over five litres per second) at national, regional and catchment levels. They have recently been reviewed as part of the Government's Action for Healthy Waterways programme and are expected to be amended to require real-time reporting of water use to councils.

[10] as defined in the https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/stock-exclusion

325. Include assessment as to how the proposed provisions are consistent with the NES. Noting where provisions support implementation and where the plan is more stringent and the reasons for being for stringent.

5.10. National Water Conservation (Mōtū River) Order 1984

326. Under section 67(4)(a) of the RMA, this plan change must not be inconsistent with Water Conservation Orders.

327. The Mōtū Water Conservation Order 1984 applies over part of the Upper Mōtū Catchment Plan area. This water conservation order provides for the preservation as far as possible in its natural state of the Mōtū River from the Mōtū Falls to the State Highway 35 bridge.

328. It applies to the following area:

329. The Mōtū River from and including the Mōtū Falls (at or about map reference NZMS 1 N88:007886) to the State Highway 35 bridge (at or about map reference NZMS 1 N70:052354), together with—

(a) the following tributaries of the Mōtū River:

- the Waitangirua Stream;
- the Mangaotane Stream;
- the Te Kahika Stream; and
- the Mangatutara Stream:

(b) that part of the Takaputahi River below its confluence with the Whitikau Stream (at or about map reference NZMS 1 N79:004116).

330. Within this subject area no water rights (water take resource consents) are able to be issued, except providin for maintenance of the state highway or soil conservation purposes. No damming of any of the rivers within the water conservation order area is also allowed for.

331. The Mōtū Water Conservation Order is unusual in that provisions also affect the waterway outside of the Scheduled area.

332. Clause 4(2) provides that "Any right granted under section 21 or section 23 of the Act to dam any part of the Mōtū River not described in the Schedule shall be granted in such a way or subject to such conditions as will result in the dam not affecting the river."

333. Clause 4(2) sets a very high bar, and practically it is doubtful that a dam on any part of the Mōtū River could be granted in such a way or with sufficient conditions to "not affect the river".

5.11. Iwi Management Plans

334. When preparing regional plan, Council must take into account any relevant planning document recognised by an iwi authority that has been lodged with Council. They are to be recognised to the extent that their content has a bearing on resource management issues of the region.[11]

[11] Section 66(2A)(a), RMA 1991

5.12. Te Aitanga a Māhaki Environmental Inventory Iwi Management Plan 2006

335. This IMP is a freshwater policy document drafted by Te Mana o Taiao o Te Aitanga a Māhaki – the Environmental Management Group of Te Aitanga a Māhaki. It contributes to the iwi's vision to 'restore the mauri of the Waipaoa'.

336. This identifies the important locations and ingoa (placenames) of Te Aitanga a Mahaki. While the Mōtū River and catchment are important areas to Te Aitanga a Māhaki, there are only a small number of ingoa identified in the inventory. The importance of the Mātāwai Marae is highlighted.

5.13. Statutory acknowledgements

337. Ngā Whakaaetanga ā Ture mō Te Tairāwhiti contains the statutory acknowledgements from Te Tiriti o Waitangi settlement legislation within the Tairāwhiti region.[12] A statutory acknowledgement is a mechanism within a settlement that provides a formal acknowledgement by the Crown that recognises the specific cultural, spiritual, historical and traditional association of Iwi, with a site of significance or resource identified as a statutory area. Statutory acknowledgements enable the respective iwi to be engaged with when making decisions which may have an impact over the area covered by the statutory acknowledgment.

338. Statutory acknowledgements including significant awa to Iwi are identified in Table 22 below. Both freshwater and coastal statutory acknowledgements have been included in this table, recognising the interconnectedness of the whole environment, ki uta ki tai.

Table 28: Relevant statutory acknowledgements to this plan change 6.

Iwi	Statutory Acknowledgements
Ngāti Porou	Waiapu River and its tributaries upstream of the CMA Uawa River and its tributaries upstream of the CMA Tūranganui River and its tributaries (to the extent that this area is within the area of interest), upstream of the coastal marine area Waimatā River (as a tributary of the Tūranganui River) to the extent that this area is within the area of interest), upstream of the CMA
Ngai Tāmanuhiri	Ngai Tāmanuhiri CMA Part Waipaoa River (including Karaua Stream)
Rongowhakaata	Tūranganui River within area of interest Taruheru River within area of interest Waipaoa River within area of interest Waimatā River (including Karaua Stream) within area of interest Hangaroa River within area of interest Te Arai River within area of interest Waikanae Creek within area of interest

[12] https://www.gdc.govt.nz/__data/assets/pdf_file/0025/41839/Nga-Whakaaetanga-a-Ture-mo-te-Tairawhiti-Statutory-Acknowledgements-of-the-Gisborne-District-updated-June-2022-A2566712.pdf

	Rongowhakaata CMA within area of interest
Iwi and hapū of Te Rohe o Te Wairoa	There are also several statutory areas for iwi and hapū of Te Rohe o Te Wairoa that fall within the Tairāwhiti region's boundaries, including: Nuhaka River and its tributaries Wairoa River and its tributaries Hangaroa River and its tributaries Mangapoike River and its tributaries Ruakituri River and its tributaries

5.14. Other Management Plans and Strategies

339. Section 66(2)(c)(i) requires regional councils to have regard to any management plans and strategies prepared under other Acts.

5.15. Tairāwhiti 2050 - Regional Spatial Plan

340. Tairāwhiti 2050 was released in 2020 and is a non-statutory spatial plan which sets out Council's vision for the region for the next 30 years. It states the region's major challenges and how they will be addressed, community aspirations and strategic direction for regional planning and development, decision-making and investments.

341. Relevant community aspirations include:

- Māori aspirations for Tairāwhiti are enabled through recognition of Te Tiriti o Waitangi and Customary Rights.
- Tairāwhiti has a secure and sustainable supply of water for drinking, industry, primary production and other uses.
- Land uses across the region are optimised to suit their physical and cultural setting, and have adapted to changing climate patterns.
- No "at risk" catchments in the region.
- 50% of our existing wetlands have been restored.
- There is a korowai of permanent vegetation on highly erodible and most vulnerable steep land.
- Wastewater no longer enters Tūranganui a Kiwa or our waterways.
- The mana of the whenua and mauri of the waterways is restored in Te Tairāwhiti.
- We can swim in our waterways and our beaches and waterways are free of forestry slash.
- Iwi are actively protecting and managing taonga within their traditional rohe – either through joint management agreements with Council, or through a transfer of functions, powers or duties.

342. Research gathered in the development of Tairāwhiti 2050, and the outcomes identified, provides some of the evidence base and strategic direction for the review of the RPS and wider TRMP.

5.16. Adjacent regional policy statements and plans

343. Section 66(2)(d) requires Council to have regard to the extent to which the regional plan needs to be consistent with the policy statements and plans of adjacent regional councils.

344. Include assessment as relevant.

5.17. Eastern Sports Fish and Game Management Plan 2014

345. Section 66(2)(c)(i) of the RMA, the Council must have regard to any management plan or strategy prepared under another Act, to the extent that its content has a bearing on the resource management issues of the region. The Conservation Act requires each Fish and Game Council to prepare any sports fish and game management plans that are necessary for the management of sports fish and game birds within its region of jurisdiction, for approval by the Minister of Conservation. The Mōtū catchment is within the area of the Eastern Sports Fish & Game Council.

346. The Eastern Sports Fish and Game Management Plan (Fish and Game Plan) sets out the Objectives, Policies and Methods for the Eastern Fish and Game Council to meet its statutory obligations under the Conservation Act 1987. These relate to five sports fish species that are present in the region – rainbow trout, brown trout, brook char, tiger trout and tench. Of these, only trout is found in the Waipaoa Catchment – specifically in the Wharekopae River.

347. In terms of game birds, the Fish and Game Plan manages a number of freshwater species found in the catchment including mallard duck, grey duck, shoveller duck, pardise shelduck, black swan and pukeko.

348. Significant sport fish and game bird habitats identified in the Fish and Game Plan that are found in the catchment plan area are:

1. Mōtū River
2. Takaputahi River
3. Waitangirua River
4. Waioeka River tributaries

6. References

Ballantine, D., & Davies-Colley, R. (2009). *Recommendations for water quality monitoring of a new dairying area - Upper Motu Catchment.* Hamilton: National Institute of Water & Atmospheric Research Ltd.

ESR Christchurch Science Centre. (2021). *Report on Faecal Source Tracking Analysis. For Gisborne District Council.*

Gisborne District Council, & NIWA. (2016). *Instream habitat and minimum flow and allocation requirements in the Motu River.*

Johnson, P., & Gerbeaux, P. (2004). *Wetland types in New Zealand.* Department of Conservation.

Ministry for the Environment. (2017). *A guide to section 32 of the Resource Management Act: incorporating changes as a result of the Resource Legislation Amendments Act 2017.* Wellington: Ministry for the Environment. Retrieved from https://www.mfe.govt.nz/sites/default/files/media/RMA/guide-to-section-32-of-resource-manangemnt-amendment-act-1991.pdf

NIWA. (2017). *Vegetation survey of aquatic and wetland sites in Gisborne District.*

Quality Planning. (2013). *Plan steps: writing provisions for regional and district plans.* Wellington: Quality Planning. Retrieved from https://qualityplanning.org.nz/sites/default/files/2018-11/Writing%20Provisions%20for%20Plans.pdf

Richardson, J., & Jowett, I. (2002). *Effects of sediment on fish communities in East Cape streams, North Island, New Zealand.* New Zealand Journal of Marine and Freshwater Research.

Vale, S. S., Smith, H. G., & Marden, M. (2021). *Upper Motu Catchment sediment sources study. Contract Report LC3937.* Manaaki Whenua - Landcare Research.

7. Appendices

7.1. Appendix 1: Water Quality Data (2015-2020)

Attribute (REC Class Cool Wet Hill)	NPSFM Limit		Motu at Conservation Area (SS)	Motu at Kotare Station (VA)	Motu above Falls (SS)	Matawai Stream (SS)
DRP Median mg/L	A	<0.006	0.014 C Band	0.019 D Band	0.016 C Band	0.013 C Band Increasing trend
	B	0.006 -0.010				
	C	0.010 -0.018				
	D	>0.018				
What does this mean?	Phosphate is naturally high in the Motu Catchment. It clings onto sediment. So the more sediment that enters the river the more phosphate. Phosphate in combination with nitrogen is a key nutrient to drive periphyton growth. With naturally high levels of phosphate in the catchment, it means controlling sediment loss to streams is a high priority. The D Band result at Kotare Station means we are required to include an Action Plan to address Phosphate. The increasing trend at the Matawai Stream is also a concern.					
DRP 95th Percentile mg/L	A	<0.021	0.0198 A Band	0.026 B Band	0.027 B Band	0.0252 B Band
	B	0.020-0.030				
	C	0.030-0.054				
	D	>0.054				
What does this mean?	Given the naturally high levels of phosphorus in the catchment, these results are pretty good. They show that we are not getting major events where phosphorus is being discharged.					
DIN Median mg/L	A	<0.24	0.23 A Band	0.27 B Band	0.29 B Band	0.56 C Band
	B	0.24 -0.50				
	C	0.5- 1.0				
	D	>1.0				
What does this mean?	Inorganic nitrogen comes from fertiliser. With the naturally high levels of phosphate in the catchment, this is probably driving the amounts of periphyton in the water. The B Band for the Motu River median levels will reflect the amount of fertiliser ending up in the tributaries as well as the main river. The Matawai Stream looks pretty impacted and this could be indicative of other small streams.					
DIN 95th Percentile mg/L	A	<0.56	0.17 A Band	0.545 A Band	0.586 B Band	1.29 C Band
	B	0.56-1.10				

Attribute (REC Class Cool Wet Hill)	NPSFM Limit		Motu at Conservation Area (SS)	Motu at Kotare Station (VA)	Motu above Falls (SS)	Matawai Stream (SS)
	C	1.10-2.05				
	D	>2.05				
What does this mean?	This shows that there are times when very large amounts of inorganic nitrogen enter the Matawai Stream in particular.					
Ammonia (Toxicity) Median mg NH4-N/L	A	<0.03	0.012 A Band	0.012 A Band	0.026 A Band	0.052 B Band
	B	0.03 -0.24				
	C	0.24 - 1.30				
	D	>1.30				
What does this mean?	Ammonia is incredibly toxic to fish. It will come from both animal manure and fertiliser. Ammonia levels in the Matawai Stream are double that of the Motu River.					
Ammonia (Toxicity) Annual Maximum mg NH4-N/L	A	<0.05	0.047 A Band	0.037 A Band	0.046 A Band	0.116 B Band
	B	0.05 - 0.40				
	C	0.40 -2.20				
	D	>2.20				
Nitrate (Toxicity) Median mg/L	A	< 1.0	0.013 A Band	0.23 A Band	0.25 A Band	0.44 A Band Decreasing trend
	B	1.0 -2.4				
	C	N/A				
	D	>2.4				
What does this mean?	From the data we can see a lot of nitrate enters the river between the Conservation area and Kotare Station (a 20 fold increase) While comfortably in the A band, the nitrate levels in the Matawai Stream are double that of the main Motu River. The decreasing trend is positive however.					
Nitrate (Toxicity) 95th Percentile mg/L	A	<1 .5	0.126 A Band	0.49 A Band	0.54 A Band	1.09 A Band
	B	1.5 -3.5				
	C	N/A				
	D	>3.5				
Dissolved Oxygen mg/L 7 day mean	A	>8.0	8.03 A Band	7.96 B Band	7.15 B Band	5.48 C Band
	B	7.0-8.0				
	C	5.0 – 7.0				

Attribute (REC Class Cool Wet Hill)	NPSFM Limit			Motu at Conservation Area (SS)	Motu at Kotare Station (VA)	Motu above Falls (SS)	Matawai Stream (SS)
minimum (1 Nov – 30 April)	D	<5.0					
What does this mean?	These results will arise from a combination of lack of shading of the water and periphyton growth. The Matawai Stream results will mean a number of fish species won't be able to live in the stream during summer. This will include trout and most native fish except for eels.						
Dissolved Oxygen mg/L 1 day mean minimum (1 Nov – 30 April)	A B C D	>7.5 >5.0 >4.0 >4.0		7.1 B Band	7.82 A Band	6.54 B Band	5.1 B Band
Turbidity (NTU) (Suspended Sediment Attribute Class 9)	A B C D	<1.2 1.2 -1.4 1.4-1.6 >1.6		1.3 B Band Increasing trend	2 BELOW NATIONAL BOTTOM LINE	4.7 BELOW NATIONAL BOTTOM LINE	4.6 BELOW NATIONAL BOTTOM LINE Increasing trend
What does this mean?	Turbidity is the amount of sediment suspended in the water and has a big impact on fish and freshwater insect health. The results at both the Motu above the Falls and Matawai Stream sites are below the National Bottom Line which means we are required to include an Action Plan to address Turbidity. The increasing trend at the Matawai Stream is a further concern.						
Suspended Fine Sediment (Class 1) Visual Clarity in metres	A B C D	>1.78 1.78 -1.55 1.55-1.34 >1.34		0.853 BELOW NATIONAL BOTTOM LINE	0.763 BELOW NATIONAL BOTTOM LINE	0.715 BELOW NATIONAL BOTTOM LINE	0.713 BELOW NATIONAL BOTTOM LINE
What does this mean?	This data is based on a short data set (less than 5 years) so is indicative not a definitive rating of the sites. While there is a deterioration in visual clarity as we move through the catchment. Given the reference (unimpacted site) visual clarity is so poor we can conclude that there is a natural condition of lower visual clarity in the catchment. However there is a relationship between visual clarity, turbidity and deposited sediment. All these indicators are looking bad, so we need to consider how to improve them together.						
Deposited Sediment (Class 2 at Kotare, Class 4	A B C D	<10 10-19 19-29 >29	<13 13-19 19-27 >27	22% C Band	46% BELOW NATIONAL BOTTOM LINE	0% A Band	No data

Attribute (REC Class Cool Wet Hill)	NPSFM Limit			Motu at Conservation Area (SS)	Motu at Kotare Station (VA)	Motu above Falls (SS)	Matawai Stream (SS)
at other sites) - % cover							
Human health E.coli/100mL median	A /B/C	<130		120	200 D Band	370 E Band Increasing trend	300 E Band
	D	>130					
	E	>260					
What does this mean?	These results mean an Action Plan for E.coli is required . The increasing trend at the Motu site above the Falls is a further concern.						
Human health E.coli/100mL 95th Percentile	A	<130		888 B Band (not a swimming site)	1640 E Band	6480 E Band Increasing trend	5480 E Band
	Swimming		Wading/ Boating				
	B	130-260	130-1000				
	C	260-540	260-1200				
	D	>540	>1200				

7.2. Appendix 2: Water Quality Explanations

Parameter	Explanation
Phosphorus	Phosphorus is an element with the symbol P that attaches to soil particles and is naturally present in water in low concentrations. Together with nitrogen, it is an essential nutrient for plant life and is measured as either total phosphorus (TP), or dissolved reactive phosphorus (DRP).
Dissolved Reactive Phosphorus	This is a measure of the dissolved (soluble) phosphorus compounds that are readily available for use by plants and algae. Dissolved reactive phosphorus concentrations are an indication of a waterbody's ability to support nuisance algal or plant growths (algal blooms).
Nitrogen	Nitrogen is a naturally occurring substance, with the chemical symbol N. In its gas form (N_2), nitrogen makes up about 80% of the Earth's atmosphere. In other forms it is one of the most important fertilisers for plant growth. It is also found in amino acids that make up proteins, in nucleic acids (that make up DNA) and in many other organic and inorganic compounds. Nitrogen is a great fertiliser but too much of it can cause aquatic weeds and algae to grow too fast. This increased plant growth can reduce oxygen in the water during night time when dead plant material decomposes. This can eventually remove the oxygen present in lakes, posing a threat to aquatic life. Nitrite-nitrogen and ammonia become toxic at high concentrations which are more likely under certain temperature and pH conditions. This can cause direct harm to fish and macroinvertebrates. The most common sources are wastewater treatment plants, run-off from pasture, croplands and fertilised lawns, leaky septic systems, run-off from animal manure/urine, and industrial discharges.
Nitrate	A highly soluble molecule made up of nitrogen and oxygen with the chemical formula NO_3^{2-}. It is a very important plant fertiliser but because it is highly water soluble, it leaches through soils very easily, particularly after heavy rainfall. It is one of the most common contaminants in waterways in rural and urban areas. NO_3-N can be transformed to other forms of nitrogen. Sources of NO_3-N include excessive application of inorganic fertilizer, septic tanks and leaking sewage systems. Nitrate also enters waterways as a result of nitrification of the ammonia in animal waste by bacteria in soil.

Parameter	Explanation
Nitrite	Nitrite-nitrogen is an ion with the chemical formula $NO2^-$. Concentrations of nitrite-nitrogen are normally low compared to nitrate-nitrogen and ammoniacal nitrogen. However, too much nitrite-nitrogen can be toxic. In drinking water it can be harmful to young infants or young livestock.
Ammoniacal Nitrogen	Also called total ammoniacal nitrogen, covers two forms of nitrogen; ammonia (NH_3) and ammonium (NH_4). NH_4-N can be transformed to other forms of nitrogen and is a very important plant fertiliser but is less mobile in the soil than nitrate-nitrogen. It enters waterways primarily through point source discharges, such as raw sewage or dairy shed effluent. It is toxic to aquatic life at high concentrations.
Dissolved Inorganic Nitrogen	This is the sum of nitrite (NO2), nitrate (NO3) and ammonia (NH3).
Water Clarity	Water clarity refers to the ability of light to travel through water and has two important aspects: light penetration and visual clarity. Light penetration is important as it controls the amount of light in the water needed for aquatic plants to grow. Visual clarity indicates how much suspended sediment (soil) is in the water. Poor water clarity can have many adverse effects on stream and lake ecosystems. For example, murky water can make the water unsuitable for drinking by stock and make areas unsafe for swimming. High sediment can also harm aquatic life by clogging their gills which reduces their ability to take up oxygen. As fine particles settle in slower-moving downstream areas, the spaces between rocks and gravel are filled making the bottom habitat unsuitable for fish and other aquatic species. Poor water clarity will also affect the amount of light reaching the river bottom, potentially limiting plant growth
Turbidity	Turbidity is an index of cloudiness of water and measures how light is scattered by fine particles in waterways. Turbidity is an alternative measurement for suspended sediment and/or visual clarity and is measured in nephelometric turbidity units (NTU).
Suspended Sediment	As erosion occurs, tiny particles of clay, silt or small organic particles are washed into waterways. These tiny particles can be supported in the water current and are termed suspended sediment. The faster the water is moving the larger the amount and size of suspended sediment particles it can carry. Soil type in the catchment can affect the amount of suspended sediment.
Dissolved Oxygen	The oxygen content of water. Dissolved oxygen is important for fish and other aquatic life to breathe. For example, water quality guidelines recommend that water should be more than 80 percent saturated with DO for aquatic plants and animals to be able to live in it.
E.coli	*E. coli* (*Escherichia coli*) is a type of bacteria commonly found in the guts of warm-blooded mammals (including people) and birds. High *E. coli* concentrations in freshwater can be harmful to humans. Common sources of *E. coli* bacteria are untreated human wastewater discharges, stormwater run-off and animal waste. *E. coli* survives outside the body and can survive for up to four

Parameter	Explanation
	to six weeks in fresh water making it a useful indicator of faecal presence and therefore of disease causing organisms in a river or lake. Faecal concentrations are typically higher in pastoral streams but even near-pristine streams are not totally free from *E. coli* because of faecal deposition by birds and wild animals.
Macroinvertebrates	Any organisms without a backbone or internal skeleton large enough to be visible to the naked eye (>500µm), such as insects, worms, and snails. Macroinvertebrates are sampled to provide an indication of stream water quality. Generally, the greater the diversity, the better the water quality in the stream. Macroinvertebrate communities are widely used as indicators of stream ecosystem health because they include a wide range of species, each with relatively well-known sensitivity or tolerance to stream conditions. The most common stream health indices are taxa richness, percentage of EPT taxa and the macroinvertebrate community index (MCI).
MCI (Macroinvertebrate Community Index)	MCI stands for Macroinvertebrate Community Index which is an index where macroinvertebrates are used for monitoring and reporting on stream health in New Zealand. The MCI assigns a score to each species or taxon (from 1 to 10), based on its tolerance or sensitivity to organic pollution, then calculates the average score of all taxa present at a site. It is a qualitative sampling method, which means it will tell you which species are present or absent in your sample. The MCI is based on the tolerance or sensitivity of species (taxa) to organic pollution and nutrient enrichment. For example, mayflies, stoneflies and caddis flies are sensitive to pollution, and are only abundant in clean and healthy streams, whereas worms and snails are more tolerant and can be found in polluted streams. Most benthic invertebrate taxa were assigned a tolerance value ranging from 1 (very tolerant) to 10 (very sensitive). An invertebrate sample is typically collected from within a small section of a stream (a reach). Higher MCI scores indicate better stream conditions at the sampled site. In theory MCI values can range between 0 and 200, but in practice it is rare to find MCI values greater than 150 and only extremely polluted or sandy/muddy sites score under 50.
QMCI (Quantitative Macroinvertebrate Community Index)	Similar to MCI but includes an assessment of the abundance of the different species.
% EPT Taxa	The invertebrate community is usually dominated by three orders of insects: the mayflies, stoneflies, and caddis flies. Together, these insects are known as EPT, referring to their scientific names Ephemeroptera, Plecoptera and Trichoptera, respectively. These freshwater insects are generally intolerant of pollution, so the fewer found in a sample, the poorer the stream health. The percentage of EPT-taxa (or %EPT) is most commonly calculated by counting the total number of mayfly, stonefly and caddis fly taxa in a sample, then dividing that number by

Parameter	Explanation
	the taxa richness and multiplying by 100. This is known as the %EPT by taxa. A high percentage of EPT taxa indicates good stream health. However, in some New Zealand streams there are naturally few mayflies, stoneflies, or caddis flies present. Ecologists need to be aware of these factors when using the %EPT to assess the ecological health of a river or stream
ASPM (Average Score Per Metric)	The Average Score Per Metric is made up of a combination of metrics that are found to have low variability among undeveloped reference sites in native forest: number of sensitive species: mayflies + stoneflies + caddisflies (EPT), percentage of sensitive taxa -%EPT, tolerance of taxa to pollution – MCI.

7.3. Appendix 3: Upper Mōtū Catchment Plan Stakeholder Advisory Group

Members have strong connections to the Upper Mōtū and Koranga catchments and represent a range of community perspectives. The advisory group members were:

- **Joanna Barbarich**. Joanna has whakapapa to the Mōtū awa through her connections to Te Aitanga a Mahaki and Te Whānau a Apanui iwi. Her whānau have lived in the Mōtū, Mātāwai area for many generations. Joanna maintains ahi kaa as an active committee member of Mātāwai Marae.
- **Pehimana Brown** (stakeholder group chair). Pene is the chair of Te Aitanga a Māhaki Trust and deputy chair of Mangatu Blocks. Pene and his family have farmed at Puha for 4 generations and his whānau marae is Tapuihikitia Marae.
- **BJ Holdsworth**. BJ has fished in the Mōtū River for the last 36 years and also farms near to the Mōtū catchment. He's a passionate trout fisherman and also runs a local hunting and fishing guiding business.
- **Britney Ford**. Britany lives at Mōtū and works as technical assistant on environmental matters for Mangatu Blocks who farm in the catchment. She has a degree in environmental science and is doing her masters research on the Mōtū River.
- **Henry Gaddum**. Henry has recently taken over the family farm, Kotare Station, with his wife and young son. He's on the Mōtū Catchment Group and is very interested in on-farm biodiversity and solving current issues with agriculture that the area has.
- **Pania King**. Pania owns and farms Kiriroa Station with her husband and is chair of the Mōtū Catchment Group. The Kings are current holders of the Ahuwhenua trophy, Pania is also chair of Mōtū School and a trustee on the Whinray Reserve, Mōtū Community Centre, and Paea partnership executive group. She works at Te Puni Kōkori as an advisor for whenua Māori.
- **Paul Cornwall**. Paul is the principal of Mōtū School and has lived, fished and hunted in the Mōtū catchment for 35 years. He's the chair of the Mōtū Community Centre.
- **Kerry Worsnop** is the Waipaoa ward councillor for Gisborne District Council. Kerry attends the advisory group meetings in her capacity as the ward's elected representative. She farms with her husband in the Wharekopae catchment and has been involved in the management of the Mōtū catchment project.

7.4. Appendix 4: Key Information Provided by Organisational Stakeholders

1. What are the issues and opportunities you see for freshwater management in the Upper Mōtū Catchment Plan area?

- Pest and browsing mammal control;
- Farming should be limited to extensive, rather than intensive land use;
- Degrading water quality as a result of agricultural intensification;
- Nutrient allocation regime required;
- Maintain natural flow regime;
- Erosion, introduced species and forest harvest are the biggest issues;
- Increased fencing required for existing riparian values;
- Real challenges are from sediment, wastewater, stormwater and, in some specific areas, E. Coli, not intensive farming;
- Opportunity for Freshwater Farm Plans.
- Identifying the most effective mitigations is also a challenge;
- Degradation maybe occurring in the Koranga River (without Council monitoring being undertaken to confirm) that is affecting the Waioeka System;
- Issues include increased sediment, nutrient, algae, rising water temperature, wetland degradation and weed spread and encroachment.

Freshwater Values

By and large, the values identified by organisational stakeholders are consistent with the values that have been identified through community consultation and the catchment group. Federated Farmers have also raised the issue of primary production/farming as a distinct freshwater value.

2. Do you think the current level of water quality provides for the values that are important to your organisation? Why/why not?

- No, lack of ecological diversity;
- Water quality is good in some headwaters but becomes degraded downstream;
- Natural form and character impacted by intensive farming near the river;
- Teetering on the edge – starting to see a significant decline in Whio habitat and increased erosion;
- The current water quality provides for the values that are important to farming;
- There are trout and 'waterfowl' present but 'values' such as numbers of fish, size and condition, the ability of anglers to fish and the overall angling experience of licence holders could be improved.

3. Do you think water quality needs to be improved? What would these improvements look like? How do you think they could be achieved?

- Restriction of intensive land use and reduction of land disturbance;
- Significant improvements needed – improvements in riparian set-backs, vegetation cover and shading;
- The use of a nutrient allocation system and input limits;

- Resource consent for all farms;
- Funding for ecological improvements;
- Rues in the plan that are stricter than NES stock exclusion and wetland set-backs;
- Retire steep erodible country;
- Need significant external funding;
- Pest control;
- No water quality improvements required – river is in good condition compared to others.
- Improvement of stream parameters such as lowering turbidity (run off), less nutrient input, protection of inflows and wetland areas would improve the values that Fish & Game holds important;
- Yes, water quality needs to be improved in the Upper Mōtū River because a measured decline in stream variables has been recorded. It is also likely to be happening in the Koranga River;
- Any fencing program will require pest weed control to stop terrestrial plant pests from taking over the stream edge. Uncontrolled pest weed invasion will make it difficult for human recreation and amenity use to occur within the river system;
- Creation of wetlands and reducing further degradation of existing ones is vitally important to provide sinks for nutrient runoff, and aiding retention of base water flow.

4. **Are there any water bodies that you consider outstanding that should be recognised as such in the catchment plan?**

- Kahunui Stream and its upper catchment is outstanding;
- Pakihi Stream and its upper catchment is also outstanding;
- Any rivers with outstanding ecosystem values should be recognised;
- upper Kahunui Stream and Te Pato Stream beyond where trout are present. The numbers and diversity of native fish are incredible as well as holding Whio;
- The Mangaotane and Kokopu Matara Streams both have an incredible abundance and diversity of fish and invertebrate numbers as well as holding Whio;
- The oxbow DOC reserve at Mōtū;
- Upper Mōtū River is outstanding and should be recognised as such;
- Koranga River should be considered.

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-139

Title:	**24-139 Overview of the Review of the Tairāwhiti Resource Management Plan**
Section:	Strategic Planning
Prepared by:	Janic Slupski - Principal Policy Advisor
Meeting Date:	Thursday 13 June 2024

Legal: Yes	Financial: No	Significance: **Low**

Report to TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee for information

PURPOSE - TE TAKE

The purpose of this report is to provide:

- background on the Resource Management Act 1991 (RMA) provisions that relate to preparing a Regional Policy Statement (RPS) and resource management plans
- an overview of Council's functions, powers and responsibilities under the RMA, relevant to the review of the Tairāwhiti Resource Management Plan (TRMP)
- a high-level overview of the three main workstreams within the TRMP programme.

SUMMARY – HE WHAKARĀPOPOTOTANGA

The review of the Tairāwhiti Resource Management Plan

The RMA manages natural and physical resources within a sustainable management framework. Sustainable management is described in RMA s5.[23]

Council is required by the RMA to have a RPS, a Regional Coastal Plan, and a District Plan. Other regional plans may also be prepared where these may assist the Council to perform its functions.

The role of the TRMP is to assist Council with making decisions on plan provisions and resource consent[24] applications that deal with the sustainable management of natural and physical resources of the region.

[23] https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html
[2424] Resource consents are defined in RMA s87 includes water permits coastal permits subdivision and land use consents etc

Council has an RMA plan in place – our operative TRMP. The TRMP is a combined plan that contains RPS provisions, Regional Plan provisions and District Plan provisions. The review of those provisions includes:

- the RPS provisions to achieve the integrated management of both natural and physical resources that apply to the region as a whole
- the 'Regional Plan' provisions that manage natural resources (water, air, land and the coast)
- the 'District Plan' provisions that enable or control land uses within Tairāwhiti.
- provisions that identify and control activities to protect significant values and resources that are of significant value to iwi and the community.

The TRMP review is being undertaken in two phases. Phase 1 includes the RPS provisions, freshwater provisions, and land use provisions that deal with forestry, and urban growth and development. Phase 2 will follow, and the details will be covered in future reports.

Initial discussions particularly with the Monitoring and the Consents teams suggest that there are parts of the current TRMP that are working well, and other parts that need to be revised. The review also provides an opportunity to make that better to reflect iwi values and interests in the management of natural and physical resources, within the scope of what the legislation (the RMA) allows.

There is opportunity for the public to engage throughout the TRMP review process by providing feedback on catchment plans, draft provisions and by making a submission on proposed provisions. The timing for the formal notification of proposed plan provisions for submissions is not confirmed and may occur at different times.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Notes the contents of this report.

Authorised by:

Nicki Davies - Acting Director Sustainable Futures

Keywords: TRMP, Regional Policy Statement, Freshwater, Catchment planning, Land use, Urban growth, Resource Management Act

BACKGROUND - HE WHAKAMĀRAMA

1. The Resource Management Act 1991 (RMA) manages the natural and physical resources of the region within a sustainable management framework. The details of how these resources are to be managed are set out in RMA policy statements and plans prepared by Council. It is the Regional Plan and District Plan provisions that contain the rules that determine the resource consent requirements.
2. Council has powers and responsibilities under a range of legislation, each with a different purpose and working to assist the business of Council decision making in different ways.
3. The powers and functions of the Council under the RMA are set out in RMA s30 (regional council functions), and RMA s31 (functions of a territorial authority). As a unitary authority, this Council has both.
4. When preparing regional policy and regional plan provisions, Council must act within its regional Council functions. When preparing District Plan provisions, Council must act within its functions as a territorial authority.

Resource Management Act 1991 (RMA)

5. The RMA deals with the purpose, scope and content of RMA plans and decisions about the sustainable management of natural and physical resources.

Purpose of the RMA

6. The purpose of the RMA is to promote the sustainable management of natural and physical resources.[25] 'Sustainable management is defined in the purpose of the RMA, and this includes sustaining the potential for physical and natural resources to meet the needs of future generations, safeguarding the life supporting capacity of air, water, soil, and ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.
7. The RMA contains a list of matters of national importance that are to be "recognised and provided for".[26] The RMA also identifies other matters to have particular regard to,[27] and requires those exercising powers and functions under the RMA to take into account the Treaty of Waitangi.[28]

National Direction

8. When preparing a plan (and RPS) under the RMA, the provisions achieve the sustainable management purpose of the RMA and must give effect to Ministerial Directions and National Policy Statements.[29]

[25] RMA s5 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html
[26] RMA s6 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html
[27] RMA s7 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html
[28] RMA s8 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html
[29] National direction | Ministry for the Environment

Scope of Council's Powers and Functions under the RMA

9. The TRMP is a combined plan that contains RPS provisions, Regional Plan provisions and District Plan provisions. The role of the TRMP is to assist Council with making decisions that deal with the sustainable management of natural and physical resources of the region.

10. The matters that the TRMP addresses through the objectives, policies and methods (including rules) cover:
    - the use, development and protection of air, land, freshwater and the coast
    - managing natural hazards and risks
    - the protection of historic and cultural values, ecosystems and natural environmental values
    - managing the effects of infrastructure, subdivision, urban form and development and other activities that involve the use of land, water and the marine environment.

11. The scope of what can be controlled in an RMA plan through the rules is prescribed in the RMA. Even though Council is a unitary Council with the powers and functions of both, the preparation of the planning documents under the RMA must be exercised in accordance with the specific functions in RMA s30 (in the case of a regional council function) or RMA s31 (in the case of a district council function).

12. The activities that may have effects on the environment that the Council can either enable or control through rules in an RMA planning document are set out in RMA s9 to s17. These activities cover:
    - the use of land, and subdivision
    - the use of the coastal marine area including discharges, disturbance and deposition of material, construction of structures, occupation of space and reclamation
    - activities in the bed of a lake or river including excavation, introduction of plants, and reclamations
    - taking, use damming and diversion of water
    - discharges of contaminants to the environment including to air, land, freshwater, coastal water
    - the dumping and incineration of waste or discharge of harmful substances in the coastal marine area
    - a duty of avoid unreasonable noise
    - a general duty to avoid, remedy or mitigate adverse effects on the environment.

Resources

- Link to the RMA: https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html
- Link to the Environment Guide RMA section: https://www.environmentguide.org.nz/rma/

The operative Tairāwhiti Resource Management Plan (operative in 2018)

13. The TRMP assists the consent authority to make decisions on resource consent applications that deal with the sustainable management of natural and physical resources of the region.

14. The current TRMP has been in place for more than 10 years. The whole TRMP is being reviewed now. This is happening in phases. Phase 1 includes the RPS provisions, freshwater provisions, and land use provisions that deal with forestry, and urban growth and development.

15. Initial discussions particularly with the monitoring and Consents teams suggest that there are parts of the current TRMP that are working well, and other parts that need to be revised. The review also provides an opportunity to make the TRMP better reflect iwi values and interests in the management of natural and physical resources, within the scope of what the legislation (the RMA) allows.

Provisions in the TRMP

16. The TRMP contains:

Regional Policy Statement Provisions

17. RPS provisions provide the overarching strategic direction and integrated policy framework for the rest of the plan.

18. The purpose of an RPS is "*to provide an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region*".[30]

19. The objectives, policies, and methods are designed to achieve integrated management of resources through both region wide and resource specific provisions that address the matters in the regional functions in RMA s30; and the range of matters and contents for a regional policy statement set out in RMA s60 and 61. These include matters of regional significance, and responsibilities for managing freshwater, air, the coast, urban form and development, and natural hazards. The other parts of the TRMP (regional and district plan provisions) must give effect to these provisions.

Regional Plan provisions manage natural resources (water, air, soil and the coast)

20. The Regional Plan provisions have objectives, policies and rules that are to assist the Council to carry out its regional council functions to achieve the sustainable management purpose of the RMA.[31] The Regional Plan provisions must give effect to the Regional Policy Statement provisions.

21. The 'Regional Plan' provisions deal with the management of natural resources, including soil conservation, freshwater (the use, development and protection of ground water, rivers, lakes and wetlands, water quality, water allocation), and air quality within airsheds. The Regional Plan includes the Regional Coastal Plan that deals with management of natural and physical resources in the coastal marine area (the wet bit) that manages all aspects of the use, development and protection in the coastal marine area.

[30] RMA s59 Purpose of a regional policy statement
[31] RMA s63 Purpose of a regional plan

District Plan provisions that enable or control land uses

22. In the hierarchy of plan provisions, the District Plan provisions must give effect to the RPS provisions and must not be inconsistent with the Regional Plan provisions.

23. The District Plan contains objectives, policies and rules that are to assist Council to carry out its territorial authority functions to achieve the sustainable management purpose of the RMA.[32] The whole region is divided up into different zones, that group similar and compatible activities together. Most of the region (by area) is zoned rural, then in and around the city and rural settlements there are other zones that enable urban activities such as residential, commercial and industrial activities.

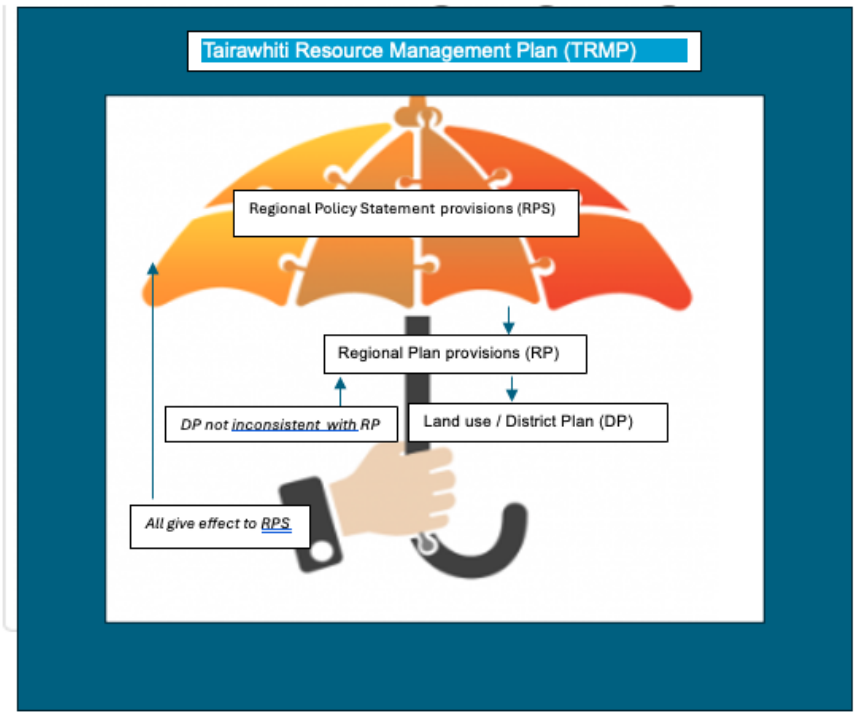
24. The plan can also include other planning instruments such as Precinct, and master plans that can refine and apply more specific development controls in areas that are defined spatially on planning maps. The TRMP currently uses standards in rules and other tools.

Provisions that identify and control activities to protect significant values

25. The TRMP identifies those resources that are of significant value to iwi and the community, and manages the use, development and protection of those resources through resource consent requirements that allow the Council to assess the potential impacts of a proposal on those values.

26. The intention is to include the criteria used to identify those significant values in the RPS layer or provisions, with the maps, rules and implementation methods being located in the relevant regional and areas-specific District plan Provisions.

Diagram of the plan provisions hierarchy



[32] RMA s72 Purpose of a district plan

How the TRMP works

What does the TRMP do?

27. The TRMP provides a policy and regulatory framework to assist the Council to manage natural and physical resources in a way that achieves the sustainable management purpose of the RMA. The Plan must also give effect to any ministerial directions, National Policy Statements and the New Zealand Coastal Policy Statement.

28. The objectives in the TRMP set out what is expected to be achieved or the outcomes, and policies and methods (including rules) set out in a framework for making decisions about the protection, use and development of natural and physical resources within Tairāwhiti.

How?

29. The TRMP must identify the methods that implement the objectives and policies. Rules are one method. The rules in the TRMP describe whether a proposed activity must be considered by Council through a decision on a resource consent application, or if it is permitted. If something is permitted, then Council has no role or ability to make changes to a proposal. The scope or standards in a permitted activity rule are important.

30. Other methods may promote actions that fall outside of the consenting framework. For example, providing education and advice to farmers to develop farm plans or providing funding incentivise certain actions to occur.

31. The processes for decisions on resource consents, and the matters to be considered are prescribed in the RMA, and this includes consideration of the objectives and policies in the TRMP.

Phased approach to the review of the TRMP

32. Councils can review their plans at any time. If the plan or any provision has not been the subject of a review or plan change during the previous 10 years, then a review must be undertaken. There have been several significant changes to the legislation and national direction since the TRMP was made operative. The TRMP is now out of date.

33. The review of the current TRMP is being undertaken in two phases.

34. Phase 1 consists of three workstreams:

- **Review of the Regional Policy Statement provisions**
  Includes overarching policy approach, integrated management of natural and physical resources at a region wide and topic specific level, objectives for freshwater catchments, criteria for identifying significant values, development capacity for housing and business land, planning map to identify highly productive land
- **Review of the Freshwater planning provisions**
  Includes catchments and freshwater management units, allocation of water, discharges to water, damming and diversion of water, outstanding water bodies, natural character of rivers, lakes and wetlands, cultural values
- **Review of the Urban related provisions of the District Plan**
  Includes zoning to enable urban intensification, review of residential provisions, subdivision, services

35. Forestry was originally scheduled for Phase 2 of the TRMP review, however in response to the impacts of te 2022/23 severe weather events, this work has been brought forward to Phase 1.

36. The remainder of the TRMP provisions will be reviewed as Phase 2. This includes the other land use provisions and other regional level provisions that manage natural resources and include the Regional Coastal Plan and discharge to air plan.

How are we approaching Phase 1 of the TRMP review?

37. The structure of the new TRMP will largely follow the format requirements in Table 5 of the National Planning Standard (Attachment 1). These standards also require the plan to be in an online interactive format[33] (an ePlan) by 2029.[34] However, it's essential to clarify that we are not waiting until 2029 to make this transition; rather, we are actively working towards meeting this requirement.

RPS provisions

38. The purpose, content and matters to be considered when preparing an RPS are set out in the RMA. The statutory process for preparation and review of the TRMP are prescribed in RMA Schedule 1.[35]

39. The process of preparing the RPS provisions includes undertaking engagement with iwi authorities prior to releasing the draft, to the extent that they wish to be involved. Then to undertake optional consultation seeking community feedback on draft RPS provisions, followed by the statutory public notification, submission and hearing process in RMA Schedule 1.

40. There are some policy questions arising out of the TRMP review. These are identified and discussed in the separate report 24-166 at this meeting dealing with the review of the RPS overarching provisions.

41. Council will undertake two steps when seeking the views of iwi, organisations, and the community on the review of the Regional Policy Statement provisions:

Draft RPS provisions (optional and non-statutory consultation)

42. Council staff have reviewed how the current provisions of the TRMP are working, and we are preparing revised draft RPS provisions.

43. This approach draws upon information already known to Council (such as other plans and strategies, Tairāwhiti 2050, previous submissions, monitoring information, and the State of the Environment report) and will seek feedback on the possible changes through the draft RPS, before a proposed RPS is released.

44. The draft RPS can be changed as much as we like. Once the RPS is proposed and in the statutory process, there is limited ability for the Council to change the drafting, it must rely on people making submissions asking for changes, and evidence provided at the hearing.

[33] National Planning Standards Clause 16B
[34] National Planning Standards Clause 16A1 and Clause 17 section 15
[35] https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM240686.html

Proposed RPS provisions (statutory consultation)

45. Prepare proposed RPS provisions and RMA s32 evaluations and appoint the hearing panel - Revise draft provisions, restructure the draft and amend it to focus on those matters that are specific to the RPS, seek Council agreement to publicly notify proposed RPS provisions in accordance with RMA Schedule 1 process (submissions, further submissions, hearing, appeals).

Freshwater provisions

46. The process and scope of the review of the freshwater provisions will include draft provisions being prepared and released for public feedback, then proposed Freshwater Planning Instrument notified for submissions – pursuant to RMA Schedule 1 Part 4 of the freshwater planning process.

47. The National Policy Statement for Freshwater Management 2020 (NPS-FM) is an important legislative tool for achieving national goals for freshwater. The NPS-FM 2020 provides direction on how local authorities should manage freshwater under the RMA 1991. Requirements include:

    - managing water in a way that gives effect to Te Mana o te Wai
    - applying a National Objectives Framework (NOF) to help manage freshwater
    - avoiding any further loss or degradation of wetlands and streams, mapping existing wetlands and encouraging their restoration
    - addressing in-stream barriers to fish passage.

48. The NPS-FM has incorporated the concept of Te Mana o te Wai since 2014, but the concept was elevated as the foremost fundamental concept in the 2020 version. Te Mana o te Wai recognises that protecting the health of freshwater protects the health and well-being of the wider environment – including people. Te Mana o te Wai sets out a hierarchy of obligations to ensure that freshwater is managed in a way that prioritises the vital importance of water:

    - First priority, the health and well-being of water
    - Second priority, the health needs of people
    - Third priority, the ability of people and communities to provide for their social, economic and cultural wellbeing.

49. Council has given effect to an earlier version of the NPS-FM 2014 through the operative Regional and Waipaoa Catchment freshwater provisions. These provisions were publicly notified in 2015 and made fully operative on 30 August 2023.

50. The freshwater planning framework is divided into two parts:

    - A Regional Freshwater Plan containing provisions managing freshwater-related activities that apply anywhere within the region.
    - Seven catchment plans containing provisions managing freshwater quality and quantity issues specific to catchment areas. Catchment plans identify the freshwater values, objectives, limits and targets that apply to waterbodies within each catchment area. They also set out any action plans and projects to achieve the objectives, limits and targets.
    - The seven catchments are:
        - Waipaoa
        - Mōtū
        - Southern Tairāwhiti (Hangaroa – Ruakituri)
        - Waimatā – Pakarae
        - Ūawa
        - Waiapu
        - Wharekahika – Waikura.

51. Ongoing engagement with our Treaty Partners and our community is fundamental to the development of the Regional Freshwater Plan and the seven catchment plans. Council staff have undertaken a variety of engagement approaches in the development of these freshwater plans:

    - Iwi, hapū engagement that are catchment-specific, with recent successful engagement such as engaging with mana whenua of Te Arai at Ohako Marae on what Te Mana o te Wai means to the mana whenua. For this engagement, staff were also in communications with Rongowhakaata Iwi Trust to ensure that both iwi and hapū have not been left out of the engagement process for that awa.
    - Establishment of Catchment Advisory Groups in each catchment, where the groups are composed of local people to the catchment with experience from different sectors and interest groups, such as farming, conservation, landowners etc. Aside from iwi and hapū engagements, tangata whenua from each catchment are welcomed to be on the respective Catchment Advisory Group.
    - Local stakeholder engagement, where staff have scheduled to have a series of local stakeholder engagement such as meetings with local growers. Where relevant, some of the local stakeholders have nominated their representatives to be on the Catchment Advisory Group.

52. **Report 24-22** and Report 24-141 provides an overview of current progress made in the Regional Freshwater Plan and the seven catchment plans. Once all engagements are completed (estimated by May 2025), staff intend to undertake an optional consultation of the draft plans before actual public notification of the proposed freshwater plans in late 2026.

53. The freshwater plans will be notified through the Freshwater Planning Process (FPP) as required under the Resource Management Amendment Act 2020. The FPP is only used for proposed regional policy statements of regional plans (or changes) that give effect to the NPS-FM 2020. The FPP streamlines decisions on freshwater plans by:
    - requiring regional councils to notify freshwater plans that give effect to the NPS-FM by 31 December 2024 and make final decisions within two years of notification. Following the devastation caused by Cyclone Gabrielle on the region, Tairāwhiti and Hawke's Bay were previously given an extension to 31 December 2026 to notify plans. As part of the Coalition Government's 100-Day Plan, this deadline has been replaced with a further extension, this time applying to all regions, to 31 December 2027.
    - establishing independent freshwater hearings panels with enhanced hearings powers, made up of expert freshwater commissioners, council and tangata whenua nominees
    - providing for submitter appeal rights to the Environment Court only in certain circumstances.

54. The Resource Management (freshwater and other matters) Amendment Bill (the 'Bill') has recently been introduced to parliament. The Bill proposes some changes to National direction and regulations relating to freshwater. The proposed changes include:
    - to exclude the hierarchy of obligations within the NPS-FM from resource consent applications and decision-making processes, until the NPS-FM is replaced.
    - align a consenting pathway for coal mining with other mineral extraction activities across different National Policy statements including for freshwater.
    - amend the Resource Management (Stock exclusion) regulations 2020 in relation to sloped land
    - repeals the permitted and restricted discretionary activity regulations and associated conditions for intensive winter grazing from the National Environmental Standards for Freshwater
    - consequential amendments to the Resource Management (Fresh- water Farm Plans) Regulations 2023 and the Resource Management (Infringement Offences) Regulations 1999.

District Plan provisions

55. The review process for the District Plan provisions involves that the urban land-use provisions be reviewed in Phase 1, with the remainder of the land-use provisions being reviewed in Phase 2.

56. A key milestone for Phase 1 was the adoption of the Future Development Strategy (FDS) [**report 24-26**]. The FDS sets the direction in how our urban environments will grow. This identifies growth areas to meet the communities needs in the short, medium and long term. The next stage is to develop a plan change to provide for the direction within the FDS.

57. The process differs from the regional policy and freshwater approach and will not issue a draft in the Phase 1 review of the urban provisions, on the understanding that much of the topic has been consulted on very recently as part of the development of the FDS. The process will include formal notification of the proposed urban land-use provisions and will seek submissions pursuant to the formal RMA Schedule 1 process.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation
Overall Process: **Medium** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan
Overall Process: **Low** Significance

Inconsistency with Council's current strategy and policy
This Report: **Low** Significance

The effects on all or a large part of the Gisborne district
This Report: **Low** Significance

The effects on individuals or specific communities
This Report: **Low** Significance

The level or history of public interest in the matter or issue
Overall Process: **Medium** Significance

58. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

59. For this report no iwi engagement was undertaken. However, Māori engagement is required throughout the TRMP review process to ensure their views are incorporated directly into the drafting. This engagement will be undertaken to the extent that they want to be involved.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

60. No community engagement has been undertaken in relation to this report. Community engagement will be undertaken as part of the plan making process.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

61. There are no climate change implication arising from this report.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

62. There are no financial implication arising from this report.

Legal

63. There are no legal implication arising from this report.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

64. There are no policy or planning implications arising from this report.

RISKS - NGĀ TŪRARU

65. There are no major risks associated with the decisions or matters in this report.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
3 September 2024	TRMP programme updates will be provided at each TRMP committee meeting.	Refer to Information Report 24-141 for detailed information
28 November 2024	TRMP Programme update	

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - National Planning Standard Table 5 List - Combined Plan Chapters [**24-139.1** - 3 pages]

Table 5: Plan structure for combined regional policy statement, regional plan and district plan with addition of a Strategic Direction chapter

PART 1 – INTRODUCTION AND GENERAL PROVISIONS
INTRODUCTION
HOW THE PLAN WORKS
INTERPRETATION
Definitions etc
NATIONAL DIRECTION INSTRUMENTS
National policy statements
New Zealand Coastal Policy Statement
National environmental standards
Regulations
Water conservation orders
[TANGATA WHENUA/MANA WHENUA]
Chapter:
Tangata whenua/mana whenua
PART 2 – RESOURCE MANAGEMENT OVERVIEW
Chapters:
Significant resource management issues for the region
Resource management issues of significance to iwi authorities
Strategic Direction
Integrated management
PART 3 – DOMAINS AND TOPICS
DOMAINS
Chapters:
Air
Coastal environment
Section: Coastal marine area[2]
~~Geothermal~~
Land and freshwater
ENERGY, INFRASTRUCTURE AND TRANSPORT
Chapters:
Energy
Infrastructure (includes regionally significant infrastructure and also additional infrastructure which means: public open space, community infrastructure as defined in section 197 of the Local Government Act 2002, land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities, social infrastructure, such as schools and healthcare facilities, a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001), a network operated for the purpose of transmitting or distributing electricity or gas
Transport
HAZARDS AND RISKS
Chapters:
Contaminated land
Natural hazards
HISTORICAL AND CULTURAL VALUES
Chapters:
Historic heritage
Notable trees
Sites and areas of significance to Māori
NATURAL ENVIRONMENT VALUES
Chapters:
Ecosystems and indigenous biodiversity

Natural character
Natural features and landscapes
Public access ?
SUBDIVISION
Chapters: [Insert name of chapter]
URBAN FORM AND DEVELOPMENT ?
Chapters: Urban form and development
GENERAL MATTERS
Chapters:
Activities on the surface of water
Earthworks
Light
Noise
Signs
Temporary activities
PART 4 – AREA-SPECIFIC MATTERS
CATCHMENTS AND AREAS
Chapters: [Insert name of freshwater management unit]
freshwater management unit
[Insert name of catchment] catchment
[Insert name of area] area
ZONES A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.
Chapters: Sections:
Residential zones
Large lot residential zone
Low density residential zone
General residential zone
Medium density residential zone
High density residential zone
Rural zones
General rural zone
Rural production zone
Rural lifestyle zone
Settlement zone
Commercial and mixed use zones
Neighbourhood centre zone
Local centre zone
Commercial zone
Large format retail zone
Mixed use zone
Town centre zone
Metropolitan centre zone
City centre zone
Industrial zones
Light industrial zone
General industrial zone
Heavy industrial zone
Open space and recreation zones
Natural open zone
Open space zone
Sport and active recreation zone
Coastal zones [Insert name of coastal zone] zone

Special purpose zones Airport zone
Corrections zone
Future urban zone
Hospital zone Māori purpose zone
Port zone
Stadium zone
Tertiary education zone
[Additional special purpose zone][?? Papakainga? /social housing areas ??]
PRECINCTS (MULTI-ZONE) **Chapters:** [Insert name of multi-zone precinct] precinct
Coastal precincts Section: [Insert name of coastal multi- zone precinct] precinct
DEVELOPMENT AREAS A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. **Chapters:** [Insert name of development area] development area
Chapters: [Insert name of development area] development area
Chapters: [Insert name of development area] development area
DESIGNATIONS
Chapters: [Insert name of requiring authority]
PART 5 – EVALUATION AND MONITORING
Chapters: Monitoring the efficiency and effectiveness of regional policy statement provisions
PART 6 – [APPENDICES AND MAPS]
Chapters: Appendices
Chapters: Schedules
Maps – Regional Policy Statement map: – Highly Productive Land extent NPS HPL clause 3.4 is Every regional council must map as highly productive land any land in its region that: (a) is in a general rural zone or rural production zone; and (b) is predominantly LUC 1, 2, or 3 land; and (c) forms a large and geographically cohesive area.
Maps – freshwater catchments, coastal environment, district plan zones, airshed, highly erodible land, high risk natural hazards, development area extent, district plan and regional plan overlays: heritage; ONL , natural wetlands, outstanding water bodies etc, Selected Land Use Register (**SLUR**) potentially and known contaminated land register,

Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-141

Title:	**24-141 Tairāwhiti Resource Management Plan Review - Progress Update**
Section:	Sustainable Futures
Prepared by:	Drew Williams - Principal Policy Planner
Meeting Date:	Thursday 13 June 2024

Legal: No	Financial: No	Significance: **Low**

Report to TAIRĀWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAIAO O TE TAIRĀWHITI Committee for information

PURPOSE - TE TAKE

The purpose of this report is to update the Committee on progress made on the review of the Tairāwhiti Resource Management Plan (TRMP).

SUMMARY – HE WHAKARĀPOPOTOTANGA

Te Arotakenga o Te Mahere Whakahare Rauemi o Te Tairāwhiti / Review of the Tairāwhiti Resource Management Plan (TRMP)

TRMP Phase 1

The TRMP review is being undertaken in two phases. Phase 1 began in 2020 and was initially scheduled to be completed at the end of 2024, followed by Phase 2 for a further four-year period.

Initially, under the National Policy Statement on Freshwater 2020 (NPS-FM) Council had to publicly notify its statutory freshwater planning instruments by the end of 2024. However, severe weather in 2023 have challenged Council's ability to meet these timeframes. The Government recognised this challenge and granted a two-year extension to the deadlines. Then, in December 2023, the Government announced their intention to replace the National Policy Statement for Freshwater Management and gave all councils a three-year extension to 31 December 2027 to publicly notify their freshwater planning instruments. The Freshwater team is working towards this new December 2027 deadline.

The work programme was reset to ensure continued alignment between the three main work streams to ensure they are integrated into the successful delivery of the TRMP.

Ngā Whakaritenga o Te Kaupapa Tauāki ā-Rohe / Regional Policy Statement (RPS) provisions

This workstream continues collecting evidence and commissioning the core research needed to inform the RPS, regional and District Plan provisions. The first working draft of most chapters has been completed ready for internal review. Discussions are being scheduled with external technical advisors and internal Council staff. Some parts of the working draft RPS chapters were provided to the iwi technicians for feedback. The collation of significant issues to iwi is being progressed. Guidance is being sought from the Māori Responsiveness team on the current approach and engagement with iwi on the working draft RPS provisions to integrate iwi values and interests through those draft chapters. This could result in changes to workstream timeframes and planned engagement. The team is also revisiting the initial timeframes to ensure co-ordination across the three workstreams, with a particular focus on where they intersect with the RPS provisions.

Te Whakamahere Wai Māori / Regional Freshwater Plan and Catchment Planning

Freshwater planning is the second workstreams within the TRMP review programme. The freshwater planning workstream includes research, engagement and policy development and has been underway since mid-2020. Staff have updated project plans to allow for the two-year extension received from government.

Catchment-specific engagements are the focus for 2024 with whānau, hapu, iwi and communities. Engagements and Advisory Group meetings are expected to continue throughout 2024. Four advisory groups have been established – one each for the Waimatā – Pakarae Catchment, the Ūawa Catchment, Waipaoa Catchment and one for Regional. The Waiapu Catchment Plan is still procuring technical assessments to build a substantive evidence base for the policy development. The Mōtū Catchment Plan is expected to publicly notify in the second half of 2024. The Southern Tairāwhiti (Hangaroa – Ruakituri) and the Wharekahika – Waikura catchments are expected to start engagements no later than this year.

Te Whakawhanake me te Whakarahi / Urban Growth and Development (UGD)

This workstream is currently focused on the Future Development Strategy (FDS) Implementation Plan and getting both the Kaiti Master Plan and City Centre Master Plan off the table. Of importance is to procure expert consultancy support to assist the plan changes to implement the FDS and the wider changes to the District Plan component of the TRMP.

The first priority will be to implement the FDS and as is the aim of the National Policy Statement on Urban Development, support the development of a *well-functioning urban environment*. Some changes also required by the National Planning Standards such as how spatial elements like zones and overlays specific controls such as height are represented in the plan visually. Zones and the rules that will apply to them that need to prioritised are altered and created are new residential zones, new Special Purpose Zones for the Hospital, Airport, Port, Future Urban. Other changes are likely to include plan content for Papakāinga in the urban zones, Heritage Structure amendments and updates to Subdivision and Development content of the plan.

As part of the Standards these spatial elements will be accessed via the map of the Councils' ePlan which will require staff time to set up.

TRMP Phase 2

This phase will start in July 2025, with public notification of proposed changes planned for 2028. This phase will include the Regional Coastal Plan, the remainder of Regional Plan provisions and the remaining parts the District Plan.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. **Notes the contents of this report.**

Authorised by:

Nicki Davies - Acting Director Sustainable Futures

Keywords: TRMP, Tairawhiti Resource Management Plan review, Housing, Urban Policy, Freshwater, Urban growth and development, Regional Policy Statement, engagement, governance, tangata whenua, partnerships, catchment planning

BACKGROUND - HE WHAKAMĀRAMA

1. Council is undertaking a full review of the TRMP. The 2021–2031 Long Term Plan (LTP) included a significant investment of $25.8m (including $7m for freshwater planning) to support a review of the TRMP and deliver Council's freshwater planning programme (Report 21-120).

2. The TRMP is written in accordance with the requirements of the Resource Management Act (RMA). Over time, a number of amendments were made to the RMA and Ministerial Direction and National Policy Statements, Council Strategies and the Regional Transport Plan since the current (operative) TRMP was prepared.

3. Our region's Spatial Plan, Tairāwhiti 2050, provides the vision for Tairāwhiti for the next 30 years. This plan was developed throughout 2019 and has benefitted from extensive consultation and engagement (Report 20-17). It was approved by the Sustainable Tairāwhiti Committee on 30 January 2020. Staff are utilising the aspirations in Tairāwhiti 2050 and the feedback we received during its development to inform the TRMP review.

4. The implementation of the FDS and the related urban sections of the TRMP (largely the District Plan) will be informed by the Spatial Plan, the Gisborne Urban Development Strategy 2015 and the CBD Spatial Framework 2019.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Workstream 1: Ngā Whakaritenga o Te Kaupapa Tauāki ā-Rohe / Regional Policy Statement (RPS) provisions

5. This workstream is responsible for updating the RPS provisions. Four resource management challenges were identified [Report 21-216.1]: building resilient communities, protecting what we value, growth and development and lastly, a prosperous Tairāwhiti.

6. Progress against RPS milestones for 2023 to 2024 is summarised in Table 1 below:

Table 1 – RPS progress against milestones

Identification of significant resource management issues for iwi authorities	Iwi technicians have provided some advice on these, and these are still being developed	Currently on hold
Procurement of technical reports and inputs	Technical work completed: • Understanding monitoring requirements and needs under the NPSIB Technical work underway: • Coastal environment mapping review • Region-wide assessment of Outstanding Landscapes, Features and Seascapes and Natural Character • Historic Heritage Assessment • Natural Hazards risk assessment tool Technical work being scoped: • Natural hazards – aligning	• Final draft due at the end of May will be finalised once consulted on • Due end of June 2024 pending engagement with iwi • Due at the end of May 2024

Table 1 – RPS progress against milestones		
	with mahi in the recovery programme, especially Flood Resilience: o Flooding o Slope stability o Liquefaction o Coastal hazards • Biodiversity - Approach to giving effect to the NPSIB	Looking to procure in the new financial year
Research and Options analysis – including Issues and Options papers to inform the development of the RPS	A Housing and Business Capacity Assessment report. Issues and options reports on: • Urban Growth and development • Coastal Environment • Energy, Infrastructure and Transport • Historic and cultural values • Natural features and landscapes • Contaminated sites and hazardous substances • Natural hazards • Air management issues • Ecosystems and Indigenous Biodiversity • Land and Freshwater • Development on whenua Māori	
Drafting provisions for the RPS	Drafting is underway, with most working drafts of the RPS provisions being completed for internal review. We are about to start a cycle of testing, refining, testing, refining type process before being completed as a draft ready for formal consultation.	

Partnering with tangata whenua

7. The RPS team is working closely with the Māori Responsiveness Team on a way forward to gain ongoing advice on content from iwi.

What is next?

8. Testing of working drafts with internal teams and the TRMP Committee, with further testing of draft provisions when we talk to iwi.

9. Once this has been done a refined version of the RPS provisions will be released as a set of draft RPS provisions for community feedback.

10. Following community feedback, further refinement will be undertaken before a set of draft RPS provisions are presented to the TRMP Committee to be adopted as proposed and approved to be released for formal community consultation.

Workstream 2: Te Whakamahere Wai Māori / Freshwater Planning

Legislative Context

11. The Resource Management Act 1991 (RMA) requires all regional councils to prepare freshwater plans that give effect to the NPS-FM 2020. Council has given effect to an earlier version of the NPS-FM 2014 through the operative Regional Freshwater Plan and Waipaoa Catchment Plan. These plans were publicly notified together in 2015 and made fully operative on 30 August 2023 (see **Report 23-79** for full details).

12. All councils are required to publicly notify their statutory freshwater planning instruments by the end of 2024. However, the severe weather events our region experienced in early 2023 significantly impacted Council's programmes and workloads. This has made it challenging to comply with the Resource Management Act 1991 (RMA) legislative requirements and to respond to RMA planning process.

13. An official extension was received on 20 September 2023 to postpone the public notification date of freshwater planning instruments by two years to 31 December 2026.

14. The Freshwater work programme was reset with the focus on allowing for more meaningful engagement in 2024 to develop plans.

Freshwater Planning Framework

15. Our Freshwater Planning Framework is divided into two parts:

    a. Regional Freshwater Plan containing provisions that apply to freshwater-related activities that occur anywhere in the region.

16. Seven catchment plans that focus on managing freshwater quality and quantity issues that are specific to catchment areas.

17. Staff remain committed to progressing the Freshwater workstream in a way that meets both our statutory requirements and the aspirations of our Treaty partners and our community. Our current aim is to ready our freshwater plans for notification by mid-2026. This involves:

    a. Focusing on engagement across all catchments during 2024 and into the first half of 2025

    b. Completing any outstanding research and technical work in 2024.

    c. Developing plan content from mid-2024 and packaging up draft plans in 2025.

    d. Readying the freshwater plan package for notification in the first half of 2026.

18. Progress against Freshwater Planning milestones for 2024 is summarised in Table 2 below:

Table 2 – Freshwater Planning progress against milestones		
Review of Regional Freshwater Planning provisions	Review underway - staff working with the Regional Freshwater Advisory Group since July 2023	Engagement complete by Dec 2024
Review of Waipaoa Catchment Plan (CP)	Review underway - staff working with the Waipaoa Catchment Advisory Group since July 2023	Engagement complete by Dec 2024
Mōtū CP for public notification	Completed – Catchment Plan is on agenda for this meeting - being finalised for public notification	Publicly notify Aug/Sept 2024
Waiapū CP, in partnership with Ngāti Porou	Council has continued fieldwork and research in 2023 to inform the development of the Waiapu Catchment Plan. Plan development is currently in a holding pattern	On hold
Waimatā – Pakarae CP	Underway – working with the Waimatā -Pakarae Advisory Group which was established early in 2024	Engagement complete by December 2024
Ūawa CP	Preliminary engagement with Te Aitanga a Hauiti completed. Working to confirm approach and work programme for 2024	Engagement complete by April 2025
Southern Tairāwhiti CP (Hangaroa – Ruakituri)	In holding pattern – seeking preliminary iwi and hapu engagement	Complete by June 2025
Northern CP (Wharekahika – Waikura)	Not started – focus was on bore drilling in 2023. Confirm approach and work programme in early 2024	Complete by July 2025
Research and technical work	A series of technical work around freshwater is being undertaken	Most technical reports to be completed by Dec 2024

Partnering with tangata whenua

19. We've progressed a Te Mana o te Wai review of the Regional Freshwater Plan and Waipaoa Catchment Plan in collaboration with the iwi technicians. The review provides information to Council and tangata whenua on ways in which we may want to consider applying Te Mana o te Wai within the Gisborne Regional Freshwater Plan and Waipaoa Catchment Plan. While the focus is on these two plans, the information will be useful for the other catchment plans that are under development. It will also complement the evaluation that Council staff are conducting under s35 of the RMA. The recommendations will:

    a. Inform how we support mana-enhancing partnerships with iwi and hapu.

    b. Provide recommendations on how the National Objectives Framework (NOF) may be applied through early engagement with hapū and iwi, outlining the components of the plans that are not well aligned and successfully aligned with Te Mana o te Wai.

20. In the meantime, work continues with tangata whenua that have expressed an appetite to actively progress planning at place. For example:

    a. Staff have worked with Ngā Uri o Te Kooti Rikirangi to undertake a freshwater planning process for the Maungarongo wetland. Engagement with surrounding landowners has also begun.

    b. Four wānanga with tangata whenua have been held at Ohako marae in relation to freshwater planning for the Te Arai River. Community engagement will be progressed in line with growing interest in improving outcomes for land use and flood management within this catchment.

What are the challenges?

21. Internal capacity to support engagement, policy development and technical work remains an ongoing challenge. Additionally, competing priorities and needs following the impacts of cyclones Hale and Gabrielle have stretched our Treaty partner's time and availability. Despite the extension to the freshwater legislative timeframes, it is crucial for our region to not lose the momentum built from acknowledging the climate-related crisis and its impact on freshwater.

What is next?

22. **Waipaoa, Waimatā-Pakarae and Ūawa catchments**: The team will continue to engage with the established freshwater advisory groups for the remainder of the year. We will also look to support further tangata whenua engagement where there is interest to do so. Draft catchment plans will be socialised with the community for feedback following this engagement.

23. **Mōtū Catchment:** Circulate the draft Motu Catchment Plan to iwi authorities, followed by submitting decision report to TRMP Review Committee, and then publicly notifying this Plan August/September 2024.

24. **Waiapū Catchment:** Confirm working arrangements with TRONPnui. This approach and a work programme for the year could be confirmed through the Joint Management Agreement Forum (JMAF).

25. **Southern Tairāwhiti Catchment:** Staff are still looking to confirm suitable dates for engaging with Ngai Tāmanuhiri as an entry point into this catchment planning process.

26. **Northern Catchment:** Staff have worked with tangata whenua on Council's bore drilling project, which has resulted in forming a solid platform of engagement which we will look to continue into the catchment planning process.

27. Ongoing technical work to support research requirements and to set the evidence base for policy development.

Workstream 3: Te Whakawhanake me te Whakarahi / Urban Growth and Development (UGD)

28. This workstream for the greater part of 2023 was mostly focused on the development of the Tairāwhiti Future Development Strategy (FDS), which was adopted at the 14 March 2024 Council meeting. The FDS is a statutory document for integrated, strategic and long-term planning to address the anticipated growth in population and urban development needs in Tairāwhiti, in essence where can homes be built. The level of growth was predicted in the 2022 Housing and Business Capacity Assessment. The FDS has been under development since January 2022 with numerous stages of community consultation and refined post cyclone, prepared in accordance with the National Policy Statement for Urban Development 2020 (NPS-UD).

29. Since adoption, the focus shifted to the development of an FDS Implementation Plan. The FDS forms in essence the 'where' to develop, while the Implementation Plan forms 'how' the FDS will be implemented over the next 30 years, supported by the TRMP, primarily the District Plan provisions.

30. Several masterplans for the city will provide direction with a Residential Design Guide providing guidance on newer housing typologies and nature-based solutions to issues like stormwater.

31. Progress against UGD milestones for 2024 is summarised in Table 3 below:

Table 3 – UGD, including housing – progress against milestones

Draft urban high-level objectives for the RPS	Some objectives are provided by the NPS-UD, others will need to be refined after the FDS is adopted.	Complete by August 2024.
Procure professional services to assist with technical reports and inputs (current and short term) to provide a solid evidence base	Example is the current procurement of professional services to assess the regions' trees to form a schedule of Notable (protected) Trees.	Complete by December 2024
Residential Urban Design Guide	Early work has begun. Commissioning consultancy support.	Complete by December 2024
Four urban masterplans	Early stages. To be referenced in the RPS urban objectives with the Master Plans likely carried over into the District Plan. Early work begun, will be progressed with Council staff such as Consents and Liveable Communities teams. City Centre to be prioritised as it has links to other Council programmes such as transport. Kaiti has been prioritised by the Council during the adoption of the FDS.	Kaiti and City Centre masterplans draft by March 2025
Draft TRMP Urban-related District Plan changes	Begun focusing on spatial elements such as zones.	Early 2025 focusing on urban related provisions to implement the FDS

Partnering with tangata whenua

32. This workstream prepared the FDS in collaboration with some Tairāwhiti iwi and hapu. Our approach has included early and ongoing kōrero, and hui with iwi and hapu who expressed an interest in the FDS. Several huis were held at key stages to discuss the background of the FDS, specific criteria for iwi and hapu values as part of the assessment of potential growth areas, site selection, and iwi and hapu aspirations over the next 30 years.

33. The process has identified local iwi and hapu urban aspirations and intentions for Māori-led housing developments in the city.

What are the challenges?

34. Detailed programme timelines for the small number of internal staff.

35. Prolonged period without external consultancy support while the supplier panel was being established. This risk can be mitigated by focusing on accelerating the procurement process to help expedite the support.

36. The Government has announced significant changes to the structure and approach taken by Kāinga Ora who are significant landowners in the city. This is likely to impact a number of aspects of this work such as Master Plans and overall ability to engage with the Council. These developments will be monitored closely to reduce potential disruption.

What is next?

37. Progression of the FDS Implementation Plan in 2024.

38. The Implementation Plan will be progressed in tandem with a new Residential Design Guide to complement a Commercial Design Guide Council produced in 2017. This guide will also support consenting decisions as the Council already receives residential proposals that are not expressly addressed in the current plan.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation
Overall Process: **Low** Significance
This Report: **Low** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan
Overall Process: **Low** Significance
This Report: **Low** Significance

Inconsistency with Council's current strategy and policy
Overall Process: **Low** Significance
This Report: **Low** Significance

The effects on all or a large part of the Gisborne district
Overall Process: **Low** Significance
This Report: **Low** Significance

The effects on individuals or specific communities
Overall Process: Medium Significance
This Report: Low Significance

The level or history of public interest in the matter or issue
Overall Process: High Significance
This Report: Low Significance

39. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

40. Freshwater is essential to our people (social and cultural values) and our economy, while also part of the intrinsic values of waterbodies and their ecosystems. The historic approach to water allocation has led to an inequity between those who have and those who don't have access to water. This has been particularly the case for tangata whenua where whenua Māori has not been developed and now is prevented from accessing water despite often being located adjacent to waterbodies.

41. Council remains committed to meaningfully engage with our Treaty partners and our community to reduce the gap of inequity through the freshwater planning process.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

42. Iwi and hapu engagement continue to be a key part of the overall TRMP review process. The TRMP Review programme team is using the principles of Te Tiriti o Waitangi to inform its approach to engaging tangata whenua, and Māori living in the region.

43. Council has been committed to partnering with tangata whenua at a governance level to oversee and provide direction on the TRMP review. Iwi authorities have been approached several times by the senior staff, the Chief Executive and Mayor regarding participation in the TRMP Committee – the last approach being toward the end of 2023. Council then on 14 March 2024 agreed to establish the TRMP Committee as a Council-only committee, noting that seats remain available to iwi if they choose to exercise their right to participate.

44. Bilateral partnership discussions with iwi chairs/CEs are continuing at a leadership level.

45. Iwi/hapu engagement at an operational level is continuing as referred to in each of the workstream updates above.

46. Council have progressed a Te Mana o te Wai review of the operative Regional Freshwater Plan and Waipaoa Catchment Plan in collaboration with the iwi technicians. The review provides information to Council and tangata whenua on ways in which we may want to consider applying Te Mana o te Wai in the new Regional Freshwater Plan and seven catchment plans. The Te Mana o te Wai review will also complement the evaluation that Council staff are conducting under section 35 of the RMA.

47. The joint development of the Waiapu Catchment Plan is made possible through a Joint Management Agreement (JMA)36 in place between Council and Te Runanganui o Ngāti Porou (TRONPnui). The establishment of the JMA has provided another pathway to meaningful engagement for the Waiapu Catchment Plan. More information on the JMA was previously informed in Report 23-129.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

48. Ongoing community engagement is fundamental to all three workstreams.

49. Community groups and industry representatives have a keen interest in the development of the TRMP. Our engagement approach is reflecting this interest.

50. Our rural and urban communities also have a key role to play in helping us develop a resource management framework that is fit-for-purpose.

51. Communications and Engagement plans have been developed for the three main workstreams and are reviewed on a regular basis to ensure fit-for-purpose plans.

52. Communities will be kept up to date through various communication channels, of which the Council website will be the main method. The TRMP programme has a dedicated communications advisor as part of the wider team.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

53. There are no climate change impacts or implications arising from the matters in this report.

54. Councillors however identified climate change as a regionally significant issue during the councillor workshop held in August 2021 (see Report 21-216 to 28 October 2021 Sustainable Tairāwhiti Committee meeting).

55. Climate change is a priority issue within the RPS and is integrated within the TRMP work programme. The effects of climate change are recognised to be linked to the increased frequency and intensity of natural hazards such as rainfall events and drought events. These are considerations when providing direction on how the region manages natural resources and develops the built environment.

56. Climate change will affect the availability and reliability of freshwater resources. The combination of existing over-allocated water resources, an expected increased future demand and impacts of climate change mean that managing water quantity within limits is a significant issue for freshwater management in the region and will only become more important in the future.

[36] Enabled under section 36B of the Resource Management Act 1991. A JMA provides for both parties in the agreement to jointly perform the local authority's functions in relation to a natural or physical resource in all or part of the region/district

57. Climate change will be a central consideration in all parts of the Urban Growth and Development workstream as it is one of the objectives of the NPS-UD. Planning for an urban form, that is compact, intensified and well connected, should decrease greenhouse gas emissions by reducing the reliance on private motor vehicles. Growth and development planning will also incorporate climate change adaptation by ensuring that existing urban areas, subject to hazards affected by climate change, are subject to appropriate risk assessment requirements, and other areas are avoided entirely.

58. The Tairāwhiti 2050 Spatial Plan seeks to activate our Central Business District (CBD) by promoting walking and cycling, inner city living, re-purposing heritage buildings, creating multi-use public spaces and developing a hospitality precinct.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

59. Resourcing for the wider TRMP review is included as part of the operational budgets in the 2021 – 2031 Long Term Plan.

60. There are no financial implications from the progress updates in this report.

61. A budget of $25.6m (including $7m for freshwater) was approved to support the TRMP review. There was an underspend for the FY 2022, as well as potentially for 2023, mainly due to difficulty recruiting staff, the impact of COVID-19 on both internal and external resource availability and disruptions from severe weather events.

Legal

62. Keeping the TRMP current is a legislative requirement. Under the Resource Management Act 1991 (RMA), councils must commence a review of any RPS, Regional Plan, and District Plan provisions if they have not done so for 10 years.

63. Council is required to prepare and change the TRMP in accordance with National Policy Statements, the New Zealand Coastal Policy Statement, National Planning Standards and any other resource management regulations[37].

64. The TRMP will need to give effect to other national direction[38].

65. Under the RMA, Council must state the significant resource management issues for the region and the resource management issues of significance to iwi authorities in its RPS.

66. Under Section 81 of the Local Government Act 2002, Council is required to establish and maintain processes to provide opportunities for iwi/Māori to contribute to the decision-making processes of Council and to consider ways in which Council may foster the development of iwi/Māori capacity to contribute to the decision-making processes of Council. This is articulated in Council's 'Tairāwhiti Piritahi – Fostering Māori Participation in Council Decision-making' Policy. This policy provides a framework for Council to ensure effective tāngata whenua participation in the Council's planning and decision-making processes.

[37] s61(1)(da) and (e), s66(1)(ea) and (f), s74(1)(ea) and (f) of the RMA 1991
[38] https://environment.govt.nz/acts-and-regulations/national-direction/

67. A requirement of the NPS-UD that the Council has opted to produce is a FDS which forms the basis for integrated, strategic, and long-term planning. An FDS helps the Council set the high-level vision for accommodating urban growth over the long term and identifies strategic priorities to inform other development-related decisions, such as plan zoning and related plan changes and priorities and decisions in regional land transport plans.

68. An initial review of the draft FDS was carried out by an external law firm. This was followed by another legal review post consultation and prior to adoption.

69. There are also requirements under the NPS-UD to implement plan changes for well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

70. Council has legal requirements regarding Freshwater Planning. This includes direction for consultation and engagement, National Planning Standards, and what plans must be included under the RMA, the NPS-FW, and the National Environmental Standard for Freshwater (NEWS-FW) and 2019/20 amendments to the NPS-FW.

71. Central Government has repealed the RMA replacements to replace it with their own. The first Bill to amend the RMA is expected to be introduced in May 2024. This will be narrowly focused to clarify the hierarchy of obligations in the National Policy Statement (NPS) for Freshwater Management to resource consent, extend the duration of marine farm consents, and cease the implementation of new Significant Natural Areas for three years to enable a review of their operation. Other targeted amendments may also be included.

72. The second Bill, to amend the RMA by the end of 2024, will focus on housing and renewable energy, and will focus on the following changes:

    - housing growth, including making the Medium Density Residential Standards optional for councils
    - speed up consenting timeframes for renewable energy and wood processing
    - support our Infrastructure for the Future plan
    - speed up the process for making national direction under the RMA
    - amend national direction on highly productive land to allow more productive activities including housing
    - introduce emergency response regulations to enable effective responses to emergencies and contribute to long-term recover.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

73. To date we have been working under the RMA and will continue to do so until directed otherwise. The TRMP work programme has been developed in such a way that it aligns with the current legislation and we are monitoring the progress of potential changes.

74. The structure, appearance and electronic functionality of plans as mandated by the National Planning Standards is likely to transition into the new system. As such, our work to date has been compliant with this structure and appearance and will be accessed via a new ePlan. Although there is uncertainty with the replacement of the RMA there is no indication that these Standards will be dropped.

75. The new system will likely continue to have a spatial element. Spatial documents such as the FDS, CBD Spatial Framework and the 2050 Spatial Plan should be able to feed directly into any future strategic planning tool. The progress to ePlan and its interactive maps will help plan users to understand these policies along with the TRMP.

76. To help increase greenfield land availability if required for infrastructure and some energy generation projects, the National Policy Statement for Highly Productive Land is being reviewed by the Ministry for the Environment and the Ministry for Primary Industries. It has not been amended yet.

77. The Government has also suggested alternations to the NPS-UD to encourage density. Our adopted FDS encourages a compact city form and avoids sprawl and as such is in accordance with this direction.

Shifting timeframes for completion of freshwater planning

78. Until recently, the RMA (s80A) required all regional councils to notify their freshwater planning instruments by 31 December 2024.

79. Cyclone Gabrielle heavily impacted Tairāwhiti and Hawke's Bay. With recovery being a key focus for 2023, Gisborne District Council and Hawke's Bay Regional Council both advised the Ministry for the Environment of their limited capacity to meet statutory deadlines set out under the RMA and associated regulations.

80. The Ministry of the Environment responded and issued the Severe Weather Emergency Recovery (Resource Management – Time Extensions) Order 2023. By clause 6(a) of this order, Gisborne District Council was required to notify all freshwater planning instruments by 31 December 2026.

81. However, in December 2024, the Government announced its intention to replace the National Policy Statement for Freshwater Management and gave all councils a three-year extension of 31 December 2027, to publicly notify their freshwater planning instruments. This is to allow councils and their communities more time to consider the implications of a new or changed NPS-FM.

Coalition Government announced first RMA Amendment Bill

82. The Coalition Government announced its 100-day plan on 29 November 2023, which resulted in the repealing of the Natural and Built Environment Act (NBEA) and Spatial Planning Act (SPA) that were in force from 24 August 2023.

83. More recently, the Coalition Government on 23 April announced the first RMA Amendment Bill which will make urgent changes to the resource management system. The first Bill is expected to be introduced to Parliament in May. The proposed Bill will include changes to:

    a. Make it clear that, while the NPS-FM is being reviewed and replaced, resource consent applicants no longer need to demonstrate their proposed activities follow the Te Mana o te Wai hierarchy of obligations, as set out in the National Policy Statement for Freshwater Management (NPS-FM).

    b. Amend stock exclusion regulations in relation to sloped land.

    c. Repeal intensive winter grazing regulations.

    d. Align the consenting pathway for coal mining with the pathway for other mining activities in the National Policy Statement for Indigenous Biodiversity (NPS-IB), NPS-FM, and the National Environmental Standards for Freshwater (NES-F).

    e. Suspend the NPS-IB requirement for councils to identify new Significant Natural Areas (SNAs) for three years, to give enough time for a thorough review of how they operate.

    f. Speed up the process to develop or amend national direction, such as national policy statements and national environmental standards.

RISKS - NGĀ TŪRARU

84. **Uncertainty how the replacement of Resource Management legislation will impact TRMP work programme.**

    a. The TRMP team is keeping an eye on the situation.

85. **Lack of resources and capacity in both Council and iwi continue to be a key challenge**. Competing priorities, the effects of COVID-19 and the impact of recent severe weather events have all stretched peoples' time and availability.

    a. The FDS was adopted in March 2024 later than original timelines largely due the Cyclone but also staffing levels. The FDS laid the foundations of TRMP policy content that we are turning our attention to around aspects of housing and urban issues, and delays may cascade into delays for subsequent TRMP policy content, especially District plan-urban related chapters. To mitigate this risk the Council are engaging consultancy support to attempt to meet timelines.

    b. Wellbeing, quality of work and timeliness can suffer when teams are under-resourced and subject to increased workloads. To mitigate this risk, resource allocation is prioritised to ensure adequate support for the team.

86. **Consultation fatigue** poses a real risk in 2024 due to multiple consultations on freshwater, RPS and earlier on the FDS. This could result in less effective and meaningful engagements. To mitigate this risk, we are increasing the coordination and communication among the three TRMP workstreams, the Māori Responsiveness team, and the Communications team. This will ensure a more efficient and engaging external process.

NEXT STEPS - NGĀ MAHI E WHAI AKE

This has been captured under each workstream.