greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

If calling please ask for: Democratic Services

31 May 2019

Te Upoko Taiao - Natural Resources Plan Committee

Order Paper for meeting to be held in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington on

Tuesday, 11 June 2019 at 9.30am

Membership of Committee

Cr Ponter (Co Chair)

Cr Donaldson
Cr Laidlaw
Cr Swain

Cr Gaylor
Cr Staples

Bill Carter
Hikitia Ropata
Reuben Raihania Tipoki

Morris Te Whiti Love

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

Te Upoko Taiao - Natural Resources Plan Committee

Order Paper for the meeting to be held on Tuesday, 11 June 2019 in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington at 9.30am

Public Business

greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

Report 18.404
13/09/2018
File: CCAB-11-225

Confirmed minutes of Te Upoko Taiao – Natural Resources Plan Committee meeting held on Thursday, 13 September 2018 in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington at 09:34am

Present

Councillors Ponter (Co-Chair), Donaldson (from 09:52am) Laidlaw, Staples (from 09:54am) and Swain; and William Carter, Morris Te Whiti Love, Hikitia Ropata (Co-Chair), Rawiri Smith (from 09:45am) and Reuben Raihania Tipoki.

Cr Ponter chaired the meeting.

Reuben Raihania Tipoki opened the meeting with a karakia timatanga.

Public Business

1 **Apologies**

Moved *(Cr Laidlaw/Morris Te Whiti Love)*

That the Committee accepts apology for absence from Councillor Gaylor, and the apologies for lateness from Councillors Donaldson and Staples, and Rawiri Smith.

The motion was **CARRIED.**

2 **Conflict of interest declarations**

There were no declarations of conflict of interest.

3 **Public participation**

There was no public participation.

4 **Confirmation of the minutes of 7 December 2017**

Moved *(Cr Laidlaw/ Mr Love)*

That the Committee noted the failure to achieve a quorum at the meeting scheduled for 7 December 2017, Report 17.504

That the Committee confirms the minutes of 15 June 2017, Report 17.217; these were circulated in hard-copy at the meeting. These could not be confirmed on 7 December 2017 as a quorum was not achieved at that meeting.

The motion was **CARRIED.**

5 **Incorporating whaitua implementation programmes (WIPs) into the proposed Natural Resources Plan**

Miranda Cross, Team Leader, Policy Development, and Kat Banyard, Policy Advisor, Whaitua, spoke to the report.

Report 18.380 File: CCAB-11-215

Moved *(Mr Ropata/ Mr Smith)*

That the Committee:

1. *Receives the report.*

2. *Notes the content of the report.*

The motion was **CARRIED.**

Moved as an amendment *(Cr Ponter/ Cr Swain)*

That new recommendations 3 and 4 be inserted:

3. *Agrees that Officers report back to the next Committee meeting on the ways that the Section 32 process can be streamlined.*

4. *Agrees that officers report back to the Committee on the time frames for the next steps required to achieve the Section 32 process.*

The amendment was **CARRIED.**
The substantive motion was put:

That the Committee:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Agrees that Officers report back to the next Committee meeting on the ways that the Section 32 process can be streamlined.*
4. *Agrees that officers report back to the Committee on the time frames for the next steps required to achieve the Section 32 process.*

The substantive motion **CARRIED**.

6 **Proposed Natural Resources Plan (pNRP) Current Implementation Challenges**

Miranda Cross Team Leader, Policy Development, and Pam Guest, Senior Policy Advisor, spoke to the report.

Report 18.394 File: CCAB-11-218

Moved *(Mr Smith/ Cr Donaldson)*

That the Committee:

1. *Receives the report.*
2. *Notes the content of the report.*

The motion was **CARRIED.**

7 **Update on Wellington Harbour and Hutt Valley Whaitua**

Tim Sharpe, Whaitua Programme Manager – Whaitua, spoke to the report.

Report 18.381 File: CCAB-11-216

Moved *(Mr Ropata/ Cr Staples)*

That the Committee:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Determines that Rawiri Smith is the Te Upoko Taiao-Natural Resources Plan Committee appointed member to sit on the panel assessing applications for community appointments to the Wellington Harbour and Hutt Valley Whaitua Committee.*

Moved as an amendment *(Cr Staples/ Mr Smith)*

That new recommendations 4 be inserted:

4. *That the Committee agrees there should be no alternate members on the Wellington Harbour Hutt Valley Whaitua.*

The amendment was **CARRIED.**

The substantive motion was put:

That the Committee:

1. *Receives the report.*

2. *Notes the content of the report.*

3. *Determines that Rawiri Smith is the Te Upoko Taiao-Natural Resources Plan Committee appointed member to sit on the panel assessing applications for community appointments to the Wellington Harbour and Hutt Valley Whaitua Committee.*

4. *That the Committee agrees there should be no alternate members on the Wellington Harbour Hutt Valley Whaitua.*

The substantive motion was **CARRIED**.

Noted: The Committee noted that the appointment of community members to the Wellington Harbour Hutt Valley Whaitua Committee will be made by Council at its meeting scheduled for 31 October 2018.

Reuben Raihania Tipoki closed the meeting with a karakia whakamutunga.

The meeting closed at 11:50am

Cr D Ponter
Co-Chair

…….
Co-Chair

Date:

H Ropata
Co-Chair

…….
Co-Chair

Date:

greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

Report 18.603
11/12/2018
File: CCAB-11-254

Minutes of Te Upoko Taiao – Natural Resources Plan Committee meeting held on Tuesday, 11 December in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington at 09:30am.

This meeting lapsed 30 minutes after its scheduled commencement due to the fact that a quorum was unable to be achieved within 30 minutes of the scheduled commencement time.

The members present at the time of the meeting's lapse were:

Hikitia Ropata (Co-Chair), Councillors Donaldson, Gaylor, Laidlaw, Staples and and Mr Carter.

Apologies for absence had been tendered by Councillor Swain, Mr Love, Mr Smith and Mr Tipoki.

Cr D Ponter	…….
Co-Chair	Co-Chair
Date:	
H Ropata	…….
Co-Chair	Co-Chair
Date:	

CCAB-11-254

Report	**2019.193 Te Awarua-o-Porirua Whaitua Implementation Programme**
Date	31 May 2019
File	CCAB-11-260
Committee	**Te Upoko Taiao - Natural Resource Plan Committee**
Authors	**Rachel Pawson, Senior Policy Advisor** **Tim Sharp, Whaitua Programme Manager** **Jane Clunies-Ross, Policy Advisor**

Te Awarua-o-Porirua Whaitua Implementation Programme and Ngāti Toa Rangatira Statement

1. Purpose

The purpose of this report is to introduce the Te Awarua-o-Porirua Whaitua Implementation Programme (the WIP) and the Te Awarua-o-Porirua Whaitua Implementation Programme – Ngāti Toa Rangatira Statement (Ngāti Toa Rangatira Statement) to Te Upoko Taiao – Natural Resources Plan Committee (Te Upoko Taiao) and provide an update on the implementation of the regulatory and non-regulatory recommendations of the WIP and Ngāti Toa Rangatira Statement.

2. Background

The whaitua process is a community-led, collaborative planning process to address a number of land and water management issues, and to assist in carrying out our obligations under the National Policy Statement for Freshwater Management (NPSFM). The programme aims to improve the integration of activities and achieve better resource management practices which reflect local aspirations within each of the five whaitua.

Te Awarua-o-Porirua Whaitua Committee (the Committee) was the second of the five Whaitua committees established, in December 2014. Since that time, the Committee has deliberated extensively in order to set objectives for the Whaitua and to develop recommendations that form their WIP. Ngāti Toa Rangatira began the process as a member of Te Awarua-o-Porirua Whaitua Committee however in 2018 withdrew their involvement in the Committee process.

The WIP contains objectives, strategies and actions that will form a programme of work for the management of land and water in Te Awarua-o-Porirua Whaitua to improve fresh and marine water quality. The recommendations in the WIP cover both regulatory provisions and non-regulatory programmes. The regulatory provisions will be included progressively into the Natural Resources Plan by way of plan changes or variations. The non-regulatory programmes

will be implemented over time and in conjunction with mana whenua partners and organisations.

The Ngāti Toa Rangatira Statement is a key output from the Whaitua process. It records the priorities and recommendations of Ngāti Toa Rangatira as mana whenua of Te Awarua-o-Porirua Whaitua.

The WIP and the Ngāti Toa Rangatira Statement must be read and implemented together.

The WIP and Ngāti Toa Rangatira Statement were received by the Council on 10 April 2019. The Council agreed to refer the regulatory proposals within the WIP and the Ngāti Toa Rangatira Statement to Te Upoko Taiao for incorporation into the Proposed Natural Resources Plan (PNRP) through a plan change or variation process. They also agreed to further develop the non-regulatory proposals within the WIP and Ngāti Toa Rangatira Statement in conjunction with relevant external organisations and to consider them in the development of the next Long Term Plan.

3. Development of the Te Awarua-o-Porirua Whaitua Implementation Programme

Since December 2014, the Committee has worked with council officers (regional council, Porirua City and Wellington City Councils), technical experts, mātauranga advisors, Ngāti Toa Rangatira and local communities to identify key water issues within Te Awarua-o-Porirua Whaitua, and to develop methods for resolving the issues.

In May 2018, iwi representatives withdrew from the Committee to prepare their own statement. Over the three and a half years that Ngāti Toa Rangatira were members of the Whaitua Committee (December 2014 to May 2018) they provided foundational information, direction and advice which underpins the WIP.

The full Te Awarua-o-Porirua Whaitua Committee has agreed to all the recommendations and content in the WIP. The Committee at that time did not include Ngāti Toa Rangatira.

4. Ngāti Toa Rangatira's role in the Committee and Statement

Ngāti Toa Rangatira is a foundation member of the Te Awarua-o-Porirua Whaitua Committee however in 2018 withdrew their involvement in the Committee process. Ngāti Toa needed the opportunity to evaluate and articulate its views and aspirations, outside of the consensus-based approach of the Committee, in regards to Porirua's waterways and harbour.

The Ngāti Toa Rangatira statement outlines these aspirations and explains their cultural, spiritual, historical and traditional associations with Te Awarua-o-Porirua and the wider catchment area and:

- provides an overview of their history and the contemporary issues they face
- describes their vision for the catchment
- presents examples of aspirations and proposed objectives that they share with the Committee and some where they have differing views.

The WIP and the Ngāti Toa Rangatira statement must be read and implemented together to ensure the objectives and recommendations in both documents are reflected in changes to the Natural Resources Plan and in the non-regulatory programmes.

Ngāti Toa agrees in principal to the work undertaken and produced by the Whaitua Committee. Both documents identify similar issues and recommendations for addressing these, however there are some differences in the level of priority given to some contaminants and approach. For example, Ngāti Toa advocate for a more holistic Mai Uta Ki Tai (mountains to sea) Work programme, collectively established and implemented by Greater Wellington, Porirua City Council, Wellington City Council, Wellington Water, alongside Ngāti Toa and the community. This could include a number of focus topics with associated action and monitoring plans, with a particular focus and timeframes for addressing *E.coli* (5 year action plan) and the three waters networks (20 year action plan). This differs from the WIP, which outlines a number of detailed recommendations to meet objectives for fresh and coastal water but with a longer 2040 timeframe.

5. Overview of the WIP and its recommendations

The Committee's development of the recommendations contained in the WIP were informed by community values. These values were identified through hui with the community early in the process. The value groups are (full descriptions can be found on page 18 of the WIP):

- Kai kete/Food basket
- Hauora kaiao/Ecological health
- Ka taea e te tangata/Accesibility and recreation
- Te ara wairua o te wai/The pathway of the spirit of the water
- Whanaketanga tauwhiro o te whenua/Sustainable development of land
- Ohaoha o te wai/Economic uses of water and waterways as a resource
- Ko Te Awarua-o-Porirua he taonga tuku iho a Ngāti Toa Rangatira/Te Awarua-o-Porirua is an ancestral treasure of Ngāti Toa Rangatira.

The WIP sets a series of narrative and numeric objectives for both freshwater and coastal water and recommends that the PNRP is amended to include these

objectives. In summary, these objectives (for more detail see pages 31 to 33 of the WIP) are set to:

- improve E.coli and enterococci concentrations in both freshwater and coastal water respectively
- improve dissolved zinc and dissolved copper concentrations in freshwater bodies within areas predominantly urban
- generally maintain ammonia and nitrate concentration levels except in Te Riu o Porirua FMU (the Porirua Stream)
- improve periphyton, MCI and native fish populations
- reduce the sedimentation rate within both arms of the harbour and maintain (allow no further degradation) the current sediment mud content of each harbour arm.

The WIP recognises that substantial changes in practice will be required in both urban and rural areas to meet these objectives. In total, there are 75 recommendations which include a combination of regulatory and non-regulatory measures to achieve these objectives. The policy recommendations can be grouped into six main areas (summarised in Attachment 1), those being:

- natural form and character of waterways (including riparian management)
- urban development practices
- sediment
- stock access and good management practices in rural areas
- stormwater and wastewater infrastructure (including onsite systems)
- water abstraction.

In addition to the main policy areas there were a group of recommendations that are considered key to the successful implementation of the WIP. These include:

- leveraging partnerships with industry, rural landowners, community groups and the public through awareness-raising, encouraging innovation, encouraging citizen science and the establishment of additional catchment care groups
- advocacy to central government to change national regulations
- improvement in monitoring, compliance and enforcement.

5.1 Urban development and stormwater

A key area of change recommended by the WIP occurs within the urban areas to address a range of urban contaminants that contribute to the objectives not

being met. The contaminant load reductions recommended by the WIP will require a substantial change in how urban land is developed and how land-use activities are undertaken. The recommended urban development policy package tackles both existing and new land-use activities and developments. It seeks to ensure that:

- future urban development meets housing capacity needs, is well planned and achieves multiple social, cultural, economic and environmental objectives
- the residual contaminant load from all new developments is strictly controlled to minimise any increase in load from greenfield and infill developments and to maximise load reductions from brownfield redevelopments
- urban development is regulated for its effects on water quality, in-stream peak flows and ecological health, with an emphasis on national best practice in water-sensitive urban design and source control
- the extent of greenfield development areas is controlled to plan for and manage the resulting increase in contaminant load
- brownfield and infill developments are incentivised to reduce the reliance on greenfield developments and reduce the existing contaminant load through upgrading of building materials and infrastructure (both private and public)
- the contaminant load from existing land-use activities is reduced with a focus on areas that contribute a significant proportion of the contaminant load or those areas requiring a greater improvement.

5.2 Sediment

Excessive sedimentation rates are negatively impacting the streams and harbours in the Whaitua by affecting ecosystem function and recreational, cultural and spiritual values. The WIP includes recommendations to reduce the cumulative impact of sediment on the harbour by ensuring that:

- inputs from stream bank erosion caused by poor riparian protection and stock access are reduced
- improvements in earthworks and forestry practice reduce sediment and silt loss
- various incentives are offered to owners of erosion-prone rural land, including retirement and planting, to reduce erosion and land slips.

5.3 Wastewater

The objectives set by the WIP and the Ngāti Toa Rangatira Statement requires a significant improve in the *E.coli* objective. In urban areas the biggest reduction in *E.coli* will come from wastewater network improvements. The WIP recommends:

- Amendments to the PNRP to manage wastewater discharges to achieve freshwater and coastal water objectives, limits and targets

- Wellington Water develops and implements wastewater programmes, strategies and plans to improve the wastewater network

- PCC, WCC and Wellington Water initiate a comprehensive work programme to identify and address issues with the private wastewater network.

The Statement recommends:

- A five-year '*E.coli* Action Plan' to address the contamination issues with targets and ongoing monitoring regime

- A twenty-year 'Water Network Action Plan' to identify and prioritise actions to address network issues, including wastewater.

- Implementation of innovative practices for wastewater management, with urgent measures taken in Takapuwahia and Hongoeka.

5.4 Water abstraction

The main change in respect of water abstraction is that the WIP recommends the amendment of the permitted activity rule that allows water to be taken from a water body to only allow "one off" incidental uses of water.

6. Implementation of non-regulatory recommendations

Achieving the freshwater and coastal objectives in the Te Awarua-o-Porirua whaitua will be challenging, particularly for some WMUs, which require significant improvements from current state to objective state. Commitment to change practice and behaviour and increase investment will be required in both urban and rural areas if improved water quality in the Whaitua is to be achieved. The Committee recommended a number of non-regulatory measures to support the regulatory provisions, which aim to help achieve the objectives set for the Whaitua. Greater Wellington, Porirua City Council, Wellington City Council, Wellington Water, Ngāti Toa Rangatira and the wider community will all play an important role in implementing the non-regulatory provisions.

Council officers are in the process of reviewing the WIP and Ngāti Toa Rangatira Statement to determine the various tasks and methods for implementation, in conjunction with other stakeholders.

6.1 Te Awarua-o-Porirua Harbour and Catchment Strategy and Action Plan

A key document guiding implementation of the WIP recommendations is the Te Awarua-o-Porirua Harbour and Catchment Strategy and Action Plan. The strategy, originally adopted in 2012 (and updated in 2015), was developed by regional and local councils, Ngāti Toa Rangatira and stakeholders to outline a strategic plan for restoring the harbour and streams. The Harbour Strategy and Action Plan will be reviewed and updated to reflect the WIP and Ngāti Toa

Rangatira Statement recommendations once the governance and design process is agreed.

6.2 Celebration and launch

The WIP and Ngāti Toa Rangatira Statement will be presented to the community at Takapūwāhia Marae in Porirua on 19th June 2019 at 3pm. This event will provide an opportunity for all involved with the development of both documents to acknowledge the amount of work undertaken and importance of this milestone achievement.

Invitees include Porirua and Wellington City Council Mayors, Greater Wellington Councillors, Porirua Councillors on the Joint Harbour Committee and Ministers Parker, Mahuta and Sage.

7. Work towards a future plan change

Work has begun to scope a future plan change which is primarily driven by the recommendations in the WIP and the Ngāti Toa Rangatira Statement. The scope of a future plan change will likely include:

- Te Awarua-o-Porirua Whaitua specific freshwater and coastal water objectives as set out in Section 4 of the WIP
- Te Awarua-o-Porirua Whaitua specific limits and targets as set out in Section 5 of the WIP
- Amendments to the existing stormwater and wastewater provisions of the PNRP to enable the management of discharges to meet freshwater objectives, limits and targets
- Amendments to the earthworks and forestry provisions of the PNRP to enable the management of discharges to meet freshwater objectives, limits and targets
- Introduction of provisions (including land use and discharge rules) to control the effects of urban land use and development on water quality and hydrology
- Te Awarua-o-Porirua Whaitua specific amendments to the water abstraction provisions
- Te Awarua-o-Porirua Whaitua specific amendments to develop a programme within the rural area to reduce hillslope and stream bank erosion.

Initial thoughts are that the amendments to the earthworks, forestry, stormwater and wastewater provisions and the introduction of urban development land use controls could be a region-wide plan change. This is because the policy and rule framework is likely to be equally applicable across all Whaitua; it will be the objectives, limits and targets that may differ.

Next steps in the plan development process will be:

- Initiating discussions with Wellington Water, Wellington City Council and Porirua City Council on the stormwater, wastewater and urban land use and development provisions
- Initiating discussions with Ngāti Toa Rangatira on their involvement in the plan change development
- Drafting an Issues Statement (to be presented at the September Te Upoko Taiao meeting)
- Drafting freshwater and coastal objectives for Te Awarua-o-Porirua Whaitua (to be presented at the September Te Upoko Taiao meeting)
- Developing policy options for the main policy areas (to be presented at the September Te Upoko Taiao meeting).

8. Communication

No communication is necessary as Te Upoko Taiao is not making a decision to which the decision-making requirements of the LGA apply. This report is for receiving and noting.

9. The decision-making process and significance

No decision is being sought in this report. This report introduces the WIP and the Ngāti Toa Rangatira Statement and updates Te Upoko Taiao on progress towards implementing the regulatory and non-regulatory recommendations. Te Upoko Taiao will be making decisions at subsequent meetings on each phase of the plan change development process.

9.1 Engagement

Engagement on the matters contained in this report aligns with the level of significance assessed. Te Awarua-o-Porirua Whaitua Committee has undertaken significant engagement with the community, partners and stakeholders over a number of years to develop the recommendations in the WIP.

Future engagement will be determined by future processes.

10. Recommendations

That the Committee:

1. ***Receives** the report.*
2. ***Notes** the content of the report.*

Report prepared by:

Rachel Pawson	**Tim Sharp**	**Jane Clunies-Ross**
Senior Policy Advisor	Whaitua Programme Manager	Policy Advisor

Report approved by:

Alastair Smaill	**Alistair Cross**
Acting Manager, Environmental Policy	General Manager, Environment Management Group

Attachment 1to Report 19.193

TE AWARUA-O-PORIRUA WHAITUA IMPLEMENTATION PROGRAMME – KEY RECOMMENDATIONS FOR PLAN CHANGES

OBJECTIVES

COASTAL WATER NUMERIC OBJECTIVES	FRESHWATER NUMERIC OBJECTIVES	NARRATIVE OBJECTIVES
Enterocci- improve Total zinc in sediment - maintain Total Copper in sediment - maintain Macroalgae - maintain Sedimentation rate - improve Muddiness (sediment mud) – maintain Muddiness (soft mud) - maintain	E.coli – improve Ammonia (toxicity) – maintain Nitrate (toxicity) – maintain Dissolved zinc – improve except Pouewe and Takapu Dissolved copper – improve except Pouewe and Takapu Periphyton – improve except Rangituhi Macroinvertebrate Community Index – improve except Te Riu o Porirua Native fish - improve	Habitat is assessed using a range of factors, and therefore its objective state cannot be readily described using numerical measures. Below are a number of factors that together describe the objective state for habitat in the Whaitua: • the mauri of water is enhanced by restoring ecological habitats, improving water quality and ensuring that healthy and abundant mahinga kai is readily available • the natural stream flow variability in urbanising areas is maintained and the natural stream flow variability in existing urban areas is restored towards an unmodified state • the habitat and natural character of streams in the Whaitua: o support healthy and diverse macroinvertebrate and native fish populations, and o help to control nuisance periphyton and macrophyte growth. • streams are resilient to streambank erosion • provision of adequate habitat space for the life-supporting capacity of indigenous fish and other aquatic life in streams, including at times of low flow.

POLICY TOPIC AREAS

STREAM FORM AND FUNCTION	URBAN DEVELOPMENT (including stormwater network discharges)	E.COLI (includes wastewater networks, on-site wastewater)	RURAL MATTERS	SEDIMENT	WATER ABSTRACTION
REGULATORY • Urban development recommend ations NON-REGULATORY • Aquatic ecosystem and habitat action plan (11) • Identify opportunities to enhance waterbodies and harbour (15) • Works towards reducing stream bank erosion (16)	REGULATORY • Amend PNRP to require setbacks and restrictions on hard surfaces (12) • Amend PNRP to protect and restore all aquatic ecosystems and avoid reclamation (14) • Control of the extent and location of new urban areas (27) • Regulate the effect of urban development on water quality and catchment hydrology (28,30) • Amend stormwater provisions to achieve freshwater objectives, limits and targets NON-REGULATORY • Spatial and integrated planning (24,25,26) • Initiate and incentivise adoption of good practice in water-sensitive urban design (29) • Incentivising stormwater mitigations within the existing urban footprint (32) • Upgrading building materials (33, 34) • Pollution prevention programme (36) • Advocacy re: vehicular sources (38,39)	REGULATORY • Amend wastewater provisions to achieve freshwater objectives, limits and targets (40) • Amend PNRP to that new development does not exacerbate wastewater issues (41) • Amend PNRP to map stock exclusion areas for whaitua and exclude livestock as defined in PNRP (63) NON-REGULATORY • Proactive compliance monitoring programme for on-site wastewater systems alongside an education programme (65,67) • Target redevelopment projects such as Housing NZ to address existing wastewater and stormwater issues (47)	REGULATORY • Amend PNRP to map stock exclusion areas for whaitua and exclude livestock as defined in PNRP (63) NON-REGULATORY • Promote and implement good management practice including farm planning (64)	REGULATORY • Amend PNRP to set discharge standards for earthworks activities (49) • Undertakes further work to determine priority areas for reducing sediment (58) • Develops regulatory framework to identify erosion prone land in priority areas and develop environment plans to reduce sediment losses and require that where identified erosion prone land is vegetated that vegetation is not cleared for uses that increase sediment loss (59) Note: the Committee wanted to try a non-regulatory option first so this doesn't need to be in first plan change NON-REGULATORY • Review and update erosion and sediment control guidance, develop compliance programme, develop education programme (51, 52, 53) • Develop resources to work with forestry sector to undertake good practice and compliance (54,56) • Actively monitors compliance with relevant plans for forestry and associated activities (55) • Develops a charging policy under the NESPF to monitor PAs (57) • Align programmes within priority areas (60) • Deliver land management advice (61) • Priorities opportunities in regional parks to mitigate sediment loss from erosion prone land (62)	REGULATORY • Incorporate limits and minimum flow requirements for Porirua Stream, Pauatahanui Stream and Hororiki Stream (68) • Amend PA rule to only allow water to be taken for 'one off' incidental uses in the Whaitua. (69,70) • Include a definition of domestic and animal drinking water (71) • Amend PNRP to require accurate and reliable records of abstractions (74) NON-REGULATORY • Incentivise and encourage installation and use of roof-collected rainwater (72) • Better information on water and use volumes for accounting (73) • Information and education programme to raise awareness of removal of PA rule (75)

greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

Report	**2019.194**
Date	31 May 2019
File	CCAB-11-261

Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Authors	**Alastair Smaill, Programme Lead – Urban Water** **Paul Denton, Senior Policy Advisor** **Tim Blackman, Senior Policy Advisor** **Richard Sheild, Policy Advisor** **Richard Petersen, Consultant Advisor**

Ruamāhanga Whaitua Implementation Programme progress

1. Purpose

To update Te Upoko Taiao - Natural Resources Plan Committee (Te Upoko Taiao) of Greater Wellington Regional Council (GWRC) activities relating to Variation/Plan Change 1 to the Proposed Natural Resources Plan (PNRP) for the Ruamāhanga Whaitua Implementation Programme (RWIP).

2. Background

As reported to Te Upoko Taiao (Report No. 2018.559) on the 11 December 2018, the PNRP was notified on the 31 July 2015 and hearings completed on the 12 June 2018.

Full delegations were granted to the Independent Hearing Panel (30 September 2015) to hear and decide on submissions, to provide a decisions version of the PNRP and a report giving the Panel's reasons for its decisions. The decisions will be publicly notified by Council on the 31 July 2019, with appeals to be lodged with the Environment Court by 11 September 2019. A regional plan becomes operative when all submissions and appeals have been resolved.

The Ruamāhanga Whaitua Implementation Programme (RWIP) was completed in August 2018, with the recommendations in the RWIP to be incorporated into Variation 1/Plan Change 1 of the PNRP. The role of Te Upoko Taiao is to oversee the development of Variation/Plan Change 1 having regard to the provisions and assessments made in Section 32 of the Resource Management Act 1991 (RMA).

For the December meeting (of this Committee) the work programme was presented with the many factors that may influence the timing of the

Variation/Plan Change 1 and an outline of the objectives setting process for the assessment of the RWIP fresh water objectives.

This paper will update the Committee on the work to date to implement the RWIP recommendations for the Variation/Plan change Section 32 report.

3. Overview of this report

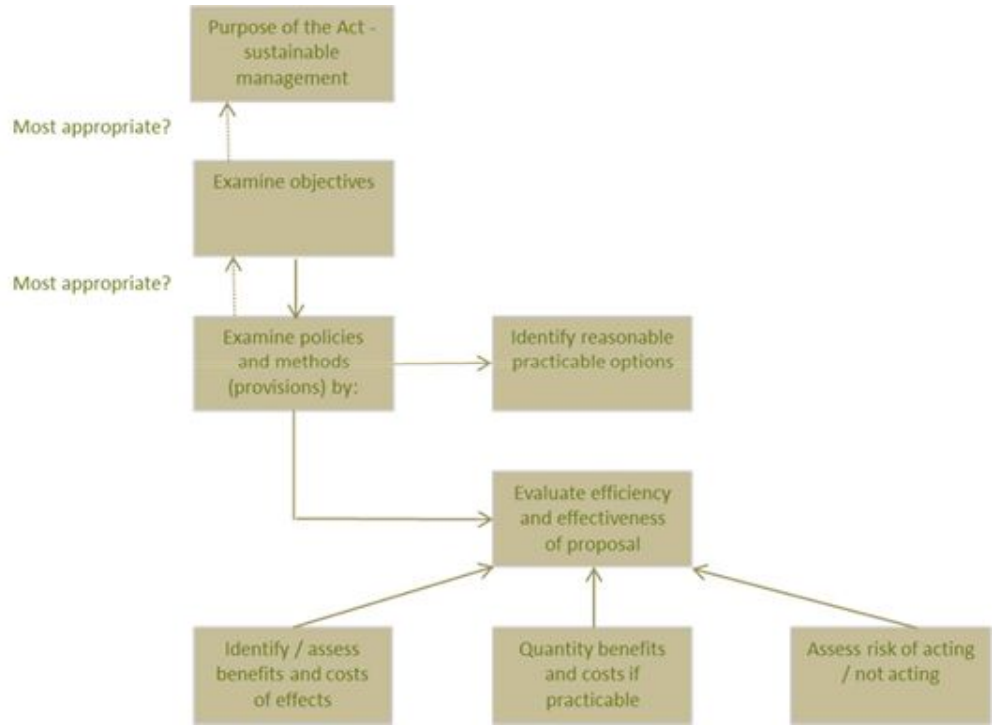
The RWIP sets out the issues and fresh water objectives as part of the values led community engagement process for the Ruamāhanga whaitua catchment. An electronic link to the RWIP is here:

http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Final-Ruamhanga-WIP-August-2018-Pdf-version.pdf

Issue statements (page 3 of the RWIP) and fresh water objectives (page 31 of the RWIP) are the basis of provision making for inclusion in the PNRP.

A successful Section 32 process requires a starting point and that is a clear problem definition. Planning processes are problem solving, through regulation and non-regulatory means to meet desired outcomes. The issue statements and explanations from the RWIP have been expanded to provide for this starting position in the Section 32 process (see **Attachment 1**).

The key components of the Section 32 process are shown in the diagram below.



The Ruamāhanga Whaitua Committee completed the National Objective Framework (NOF) process for setting fresh water objectives as part of the RWIP. These objectives give effect to the National Policy Statement for Freshwater Management 2017 (NPS-FM). The RWIP objectives are both narrative and numeric, and will become part of the PNRP objectives suite as part of this Section 32 work (see **Attachment 2**). More recently, work has progressed on the policy options that will achieve the fresh water objectives (see **Attachment 3**).

4. Draft Issues for the Variation/Plan change

The RWIP sets out in Section 1.1 (page 3) the Ruamāhanga values and issues. The community values are summarised and developed in more detail on page 16 of the RWIP where all the values and the relationships between them are described for the whaitua.

The issues statements in the RWIP were not developed for the purposes of Section 32 and further research and investigation has taken place to further develop the natural resource management problems identified during the whaitua process. Various reports and summary information were used to develop the issues statements for the Section 32 evaluation process.

Issue statements and explanations are not a statutory requirement for the Section 32 process or the Variation /Plan change; however, they are important statements to make about the issues or problems the plan change is going to answer. Past experiences with the development of the PNRP and during the PNRP hearings was evident that having clear problem or issues statements is a very useful starting position for the formulation of future planning arguments that may be required later on in the planning process.

The issue statements and explanations in Attachment 1 were discussed in detail at the February meeting with the Ruamāhanga Whaitua Committee. The committee members were invited to provide further comments on the issue statements and these have been incorporated in the statements presented in Attachment 1. Overall, the committee members were satisfied with the further development of the issue statements that will now form the basis of the variation/plan change.

It is likely there will be further refinements made to the issue statements or explanations as further work on the Section 32 topics and provisions continues in the coming months. Ongoing communication will occur with the Ruamāhanga Whaitua Committee on the evolution of the issue statements and as plan provisions are developed and refined to ensure they reflect the intent of the RWIP. The final version of the issue statements will be included into the final version of the Section 32 for the Variation/Plan change for the Ruamāhanga whaitua.

5. Draft Fresh Water Objectives for the Variation/Plan change

As with the issues statements, the objectives are similarly presented on page 31- 33 of the RWIP. They can be divided into two categories – narrative objectives and the numeric objectives.

The narrative objectives (pages 31 and 32 of the RWIP) give a full description of the state of the environment that the RWIP is aiming to achieve through the plan change process, and in the implementation of the other non-planning related recommendations in the RWIP.

The narrative objectives can be further divided into two groups – those dealing with the overall outcomes for the whaitua and the more specific ecosystem related objectives for rivers/streams and lakes outcomes. In many cases the ecosystem objectives have as a major outcome, the protection and preservation of indigenous fish species, such as tuna populations in rivers and streams, Brown Mudfish in wetlands, and Black Flounder in Lake Wairarapa. It is anticipated that the ecosystem objectives will be implemented through the methods in the Variation/Plan change. Non-regulatory methods are primarily individual or focussed studies or investigations to improve the habitat and pathways of these fish species to inform action based management.

The numeric objectives give effect to the National Objective Framework (NOF) and Attribute Tables (National Bottom Lines) in the NPS-FM. The attributes are for e-coli, periphyton, ammonia toxicity, nitrate toxicity, and MCI. Certain non-NOF attributes are also objectives for the Variation/Plan change including sediment (for the entire Ruamāhanga catchment), in Lake Wairarapa and Lake Ōnoke the Trophic level index, total suspended sediment, and macrophytes. The numeric objectives will be included as Tables in the Variation/Plan change, similar to how the limits and targets are presented in the RWIP.

Meeting the fresh water numeric objectives will be achieved over varying timeframes, up to 2080 for Lake Wairarapa and Lake Ōnoke. Meeting the in-stream and in-lake objectives will assist in the achievement of the ecosystem objectives for habitat and fish species.

As with the issue statements and explanations, the objectives were reframed into ‘regional plan’ objectives and were discussed with the Ruamāhanga whaitua committee. There was general acceptance of the redrafted objectives by the Whaitua Committee at the February meeting, and they were invited to provide further written comments which have been included into the version in Attachment 2.

The Committee was informed that, as with the issue statements, the draft objectives are likely to evolve through the course of the next phase of the Section 32 evaluation process along with the assessment of the policies, rules and other methods. There is an opportunity to combine the whaitua fresh water objectives into the existing proposed PNRP objectives for streamlining and efficiency. However, the Hearing Panel’s decisions are not due for notification

until 31 July 2019. Therefore, it is not possible to remove duplication or combine objectives until any amendments to the PNRP objectives are known.

6. Draft Policy Options for the Variation/Plan change

The policy options address how the objectives will be implemented. The RWIP has canvased various policy options to achieve water quality limits in section 7.4 (pages 77 onwards of the RWIP). These options were discussed at some length during the deliberations for the Ruamāhanga whaitua and are the committee's recommendations on how to proceed.

Officers have taken these recommendations as the first step in the option identification process that is part of Section 32. Policy options are required for the Section 32 assessment, where reasonably practicable options are put forward and assessed against the criteria in Section 32 for effectiveness and efficiency. The most effective and efficient options are recommended as appropriate to implement the fresh water objectives. An important part of the policy option assessment process is the examination of the risks of acting on a particular option and the risks of not acting.

Attachment 3 shows the policy options for the various policy topics.

A key element of the option selection process is the reasonable practical option in achieving the fresh water objectives. The option needs to be reasonable – in terms of cost and effectiveness, and practicable – in terms of able to be undertaken by either Council through its own programmes of implementation or what might be required from land owners or consent holders. The preferred option, once it has been thoroughly tested is more than likely to proceed and effectively implement the objectives over the life time of the Plan, or the time frame for the objective.

Some of the main policy options indicated by the RWIP (page 78 onwards) are:

- Farm planning
- Good management practice (GMP)
- Regulating land use changes
- Review of existing land use rules
- Riparian management
- Managing point source discharges through new rules with standards
- Emergent and existing catchment communities
- Improved compliance and enforcement
- Continuing and further investigations into issues and possible options
- New water, efficient use

- Water take limits, minimum flows and allocation amounts.

The policy option that may have a large impact for this whaitua and other whaitua is the farm planning process (see page 78 of the RWIP).

In Canterbury and Waikato regions, the Farm Environmental Plan (FEP) has been introduced as a means of interacting with the land owner to implement best practice or address issues such as sediment or nitrogen. The FEP is a useful device, where over time other features could be added-on such as improvements to any biodiversity (i.e., wetlands) that may be present on the land.

This Council has been using erosion control plans for many decades in the hill country to mitigate soil erosion and mass movements. These have proven successful up to this point, however, further development of this model is required if the RWIP is to be successfully implemented.

A feature of the FEP in other regions is they are compulsory for all farms, and are audited by the regional council each year. Canterbury Regional Council provides a 'portal' on their website where information can be easily uploaded for review. Failure to provide a FEP or the information required necessitates the resource consent process. The Ruamāhanga committee clearly stated that the FEP remain voluntary if the community is to remain focused on the achieving the fresh water objectives.

The draft policy options in Attachment 3 were discussed with the Ruamāhanga whaitua committee in early May. There was general acceptance of the options at this stage, and the committee provided comments which have been taken into account for the working drafts.

It should be noted that the Ministry for the Environment has suggested that the FEP may be introduced into regulation (through a National Environmental Standard) later this year.

7. Next steps - work on provisions

The draft issue statements and objectives are the starting point for the assessment of provisions and options for the Section 32 effectiveness and efficiency requirements in the RMA.

This work is on-going with a number of work streams investigating sediment, diffuse discharges, fresh water ecosystems, point source discharges, land use controls, wetlands, and water allocation.

As provisions and assessments are developed they will be consulted on with stakeholders and local community groups/interest parties over the course of this year.

8. Consideration of climate change

In accordance with the process set out in the GWRC Climate Change Consideration Guide, the requirement to consider climate does not apply to this

report as this is a specific requirement of the Variation process under Schedule 1 of the Resource Management Act 1991.

9. The decision-making process and significance

Officers recognise that the matters referenced in this report may have a high degree of importance to affected or interested parties.

The matters requiring decision in this report have been considered by Officers against the requirements of Part 6 of the Local Government Act 2002 (the Act). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

9.1 Significance of the decision

Part 6 requires Greater Wellington Regional Council to consider the significance of the decision. The term 'significance' has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance and engagement policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance.

These matters have been the subject of the preparation of the Ruamāhanga Whaitua Implementation Programme. The draft Issues, Objectives and Policy Options have no financial or other implication for Greater Wellington Regional Council at this stage. Once policy and method options and the associated s32 evaluation are drafted costs to Council will be known.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

9.2 Engagement

Engagement on the matters contained in this report aligns with the level of significance assessed. The draft Issues, Objectives and Policy Options were developed through the Ruamāhanga Whaitua process and have already undergone considerable communication and engagement. Further communication and engagement on the draft Issues, Objectives and Policy Options with the community and stakeholders will occur in due course as the policy and method packages are further refined.

10. Recommendations

That the Committee:

1. ***Receives*** *the report.*

2. ***Notes*** *the content of the report.*

3. ***Approves*** *the continued development of policy options including evaluation of cost and benefits of each option.*

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Attachments:

- **Attachment 1: Draft Issue Statements**
- **Attachment 2: Draft Objective Statements**
- **Attachment 3: Draft Policy Options**

Draft Issue Statements

1. Māori values and interests:

Issue 1: Mana whenua values and interests are not well recognised in the current water management system.

Explanation:

1. The relationship of mana whenua with the environment is governed by values and practices, which include such elements as tauututu (reciprocity) and kaitiakitanga (duty of care). Kaitiakitanga is the role of mana whenua in sustaining mauri and upholding their customary responsibilities including their relationship with te taiao (the environment)[1].

2. Rangitāne ō Wairarapa and Ngāti Kahungunu ki Wairarapa are mana whenua kaitiaki of the Ruamāhanga whaitua as are their associated hapū, marae and whānau. They maintain a traditional relationship with the whaitua over time and their relationships with water bodies occur at a hapū and marae level. The mana and mauri of hapū and marae are directly linked to the mana and mauri of their ancestral puna (springs), manga (streams), awa (rivers), roto (lakes) and repo (wetlands) within the whaitua. The health of their water bodies is fundamental to their identities and survival as mana whenua.

3. The current water management system fails to adequately recognise mana whenua values and the kaitiaki role of Rangitāne ō Wairarapa and Ngāti Kahungunu ki Wairarapa in the whaitua. Mana whenua are not adequately involved in decision-making regarding freshwater management and often lack the resources and support to actively exercise their kaitiaki role. Changes in water quality and quantity within the whaitua are also adversely affecting the relationship of mana whenua with water bodies of significance to them (discussed further in relation to Issue 2 (mauri) and Issue 3 (mahinga kai) below.

[1] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Mana-whenua-values-04.09.17.pdf

4. Mana whenua have strong aspirations for the restoration of the mauri of water bodies throughout the whaitua and to be active partners in freshwater management at all levels. This will require decision-makers to understand the aspirations and obligations of mana whenua which are derived from their cultural values and interests[2].

Issue 2: The mauri of water bodies in the whaitua has been degraded.

Explanation

5. Mauri is the life force that exists between things in the natural world. Mauri is regarded as a prerequisite for life to exist and is pervasive in that it is present everywhere. The importance of the mauri of freshwater is emphasised by mana whenua and is also the best example of how mauri is inherent in the environment[3].

6. Mauri is comprised of both physical and spiritual qualities and can be harmed by contaminants and activities that adversely affect the natural character, life-supporting capacity, and heath of water bodies and their ecosystems. For example, the health and vitality of water bodies can be threatened and degraded by activities such as discharge of contaminants into water, excessive water abstraction and use which leads to low flows, and changing the natural character and function of water bodies.

7. The mauri and mana of Ruamāhanga is a composite formed by the individual mauri of many places, species and water sources. The mauri of the river is made up of the many natural elements that give it form. These include the mineral and organic compounds of the land it traverses and the many people, plants, birds, insects, fish and other animals that inhabit Ruamāhanga.

8. The mauri of water bodies throughout the Ruamāhanga whaitua has been progressively degraded over a number of years. Of particular concern to mana whenua is Wairarapa Moana which has been polluted to the extent that the mauri of the lake is at the point of extinction. Formerly the place where the waters of Ruamāhanga River joined a massive tidal estuary rich in indigenous fish, plant and

[2] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/MahingaKaiinWairarapaMoana-RaSmith.pdf
[3] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Mana-whenua-values-04.09.17.pdf

bird life, Wairarapa Moana has now been disconnected from the river and become an unrefreshed backwater, loaded with sediment and exotic fish, slowly stagnating to a super-eutrophic state. Significant improvements in water quality and ecosystem health are required to restore the mauri of Wairarapa Moana and numerous other water bodies throughout the whaitua.

Issue 3: Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies.

Explanation:

9. Mahinga kai is the customary gathering of food and natural materials, the food and resources themselves, and the places where those resources are gathered[4]. An integral component of mahinga kai values is the health and abundance of both native fish and non-native fish in the rivers and lakes of the whaitua. Mahinga kai species and places are fundamental to the relationship between mana whenua and their water bodies and observation of their health is the primary way that mana whenua assess the health and well-being of their aquatic environment[5].

10. There are a number of common activities and developments throughout the whaitua that pose a risk to these values, including those that degrade water quality, excessive water abstraction leading to low flows and adverse impacts on ecosystems, drainage and flood management works, and loss of access to sites where cultural resources are found[6].

11. Currently mahinga kai values within the whaitua are degraded[7]. Mana whenua have identified a significant ongoing decline in the abundance and health of mahinga kai within the whaitua and their ability to undertake sustainable, customary harvests. The populations and health of a number of mahinga kai species have declined to an extent where marae and mana whenua communities cannot access mahinga kai that is freely available and safe to eat, including tuna and watercress.

[4] PNRP definition.
[5] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Mana-whenua-values-04.09.17.pdf
[6] Ibid.
[7] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/MahingaKaiinWairarapaMoana-RaSmith.pdf

12. Wairarapa Moana was once home to a great tuna fishery but its mahinga kai values have been diminished over the past two centuries. A key driver for this is the heavy manipulation of Wairarapa Moana through drainage schemes which have restricted the migration of fish species between freshwater and sea to complete their life cycle[8]. While the mahinga kai values of Wairarapa Moana are significantly degraded, it remains a greatly valued place to mana whenua for cultural, recreational, environmental and commercial reasons. Mana whenua have strong aspirations to restore the historical and traditional mahinga kai values associated with Wairarapa Moana.

13. The many springs, small streams, and wetlands that feed that larger waterbodies are also of significant importance to mana whenua. These smaller places are highly valued for their mahinga kai values and ability to support Māori customary use, particularly around marae and papakainga. As with the lakes and larger waterbodies in the whaitua, these smaller waterbodies have also been subject to degradation over many years, significantly affecting their mahinga kai values.

2. Water quantity

Issue 4: The natural state and flow of rivers has been modified to the extent that low flows occur in rivers that harm the ecology and natural habitat and affect the ability of the community and mana whenua to use rivers for recreation and cultural purposes.

Explanation:

14. The Ruamāhanga River and its tributaries are the most highly used waterways in the region in terms of water allocation, accounting for 65% of total allocation of water in the region. In 2010, 185.5 million m³/year of surface water and 83.9 million m³/year of groundwater were allocated across the whaitua, through approximately 520 water permits. On an annual basis, most water is allocated to irrigation (52%), with other significant uses being the water races (19%), hydro-electricity (14%), and community water supplies (13%). Demand for water in the whaitua has also been

[8] Ibid.

steadily increasing, with the amount of allocated water increasing 80% between 1990 (150 million m³/year) and 2010 (270 million m³/year)[9].

15. The volume and increasing demand for water in the whaitua is placing pressure on rivers and streams, particularly at times of low flow when aquatic habitats are most vulnerable. Low flows occur naturally but are exacerbated by water abstraction. Demand for water is generally greatest during dry periods when river and stream flows are at their lowest, temperatures are warm, and aquatic life is already stressed. There are numerous adverse effects on aquatic habitats from low flows including:

    a) Reduction in water depth and velocity and the amount of physical habitat available for aquatic species;

    b) Increase in water temperature (many invertebrates and fish are unable to survive high temperatures);

    c) Less dilution of contaminants;

    d) A decrease in dissolved oxygen concentrations which can stress and kill aquatic life; and

    e) A loss in connectivity with riparian vegetation/edge habitat[10].

16. Water abstraction and low flows also impact on the ability to use rivers and streams for recreational and cultural purposes, including mahinga kai.

17. The PNRP sets allocation volumes and minimum flow levels for the rivers, streams and groundwater in the whaitua. These limits are generally appropriate to protect habitats in rivers and streams in the whaitua[11]. However, increased minimum flows in certain rivers (Kopuaranga River, Waipoua River, Upper/Middle Ruamāhanga, Waiōhine River) are required to increase the amount of habitat available to better provide for ecological values and to protect these rivers from the future effects of climate change, which is expected to result in lower flows across the whaitua (refer

[9] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/REPORT-Water-allocation-in-the-Ruamhanga-16-June-2014.pdf
[10] Ibid.
[11] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Minimum-flow-and-allocation-options-for-the-Ruamahanga-River-and-major-tributaries.pdf

Issue 11 below). The required increase in minimum flows for some of these rivers is substantial and will need to be phased in over a number of years to be achieved.

Issue 5: The reliability of water supply for town supply, agriculture and industry is decreasing.

Explanation:

18. Reliability of water supply is critical for water users - not just for economic reasons but for the resilience of communities, and for human and animal health. The reliability of water supply means consistent, secure supply of water for users but that can be impacted when minimum flows are reached and taking water is restricted or ceases. The reliability of water supply in the whaitua is decreasing due to a combination of increased water allocation and demand, climate change effects, and ecological and cultural objectives for water quantity and quality (i.e. to increase minimum flows). These pressures are only expected to increase in the future as the whaitua enters an era of increasing water shortage.

19. Increasing allocation of, and demand for, water is the primary driver decreasing the reliability of water supply in the whaitua. There has been a significant increase in the amount of water allocated in the whaitua, increasing by approximately 80% between 1990 and 2010. Irrigation has been the primary driver for this increase (90% of the additional water allocation) and more than two thirds of this allocation is for the irrigation of dairy farms. Water allocation for irrigation from Lake Wairarapa also increased significantly (nine-fold) between 1990 and 2010[12].

20. Communities within the whaitua rely on safe and secure community water supplies for their domestic needs and health. Almost all community water supply in the whaitua comes from rivers or groundwater directly linked to rivers, so these supplies are dependent on reliable rainfall. Such "run-of-the-river" water supply systems are not particularly resilient to drought, especially when the water supply relies on a single source of water, as is the case in Masterton.

[12] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/REPORT-Water-allocation-in-the-Ruamhanga-16-June-2014.pdf

21. Under the PNRP, surface water management units and eight of the 14 groundwater management units in the whaitua are fully allocated. However, the actual amount of water taken is often considerably less than the consented amount (the 'paper allocation'). If the full volume of allocated water was actually used, the current reliability of water for existing users would be significantly less, and this decline in reliability could have significant economic and social impacts[13].

22. A contributing factor to this issue is the lack of uptake of proactive opportunities to improve water reliability and efficiency within whaitua, such as water storage, harvesting and attenuation. These initiatives provide an opportunity for water to be used more efficiently and increase the reliability of water supply, particularly during the drier months. Attenuation of water in soils, wetlands, lakes and groundwater can potentially provide significant benefits in the whaitua as this not only assists in improving reliability of supply during the dryer months, but also enhances river or stream base flow and the quality of habitat and ecology. Multiple mechanisms and opportunities therefore need to be pursued to improve the reliability of water supply in the whaitua. This will require capital investment and the coordinated efforts of water users and catchment communities and is likely to take some time.

Issue 6: The current water allocation mechanism is not the most efficient or equitable method.

Explanation:

23. Water allocation under the PNRP is largely based on the default 'first-in-first-served' allocation system under the RMA. Once water is fully allocated, which is the case for surface water and groundwater linked to surface water in the whaitua, the 'first-in-first served' water allocation system has some recognised limitations:

a) It does not maximise efficient allocation in the whaitua or encourage efficient water use;

b) It is not always fair and equitable as water is typically allocated to existing users when their consents expire meaning there is no or little water available to new users in fully allocated areas;

[13] Ibid.

c) It does not promote water going to the highest value use[14].

23.2 As a consequence, water taken by individuals, communities and businesses within the whaitua is currently not always being used efficiently and use of the water resource is not maximised.

24. There is currently limited transfer of water between water users within the whaitua and increases in water efficiency are reliant on water users implementing these when it is more economic to do so. There are some examples of efficient use of water or perceived efficient uses of water including metering in towns, and water storage. However, there are other uses of water that are inefficient, or at least perceived as being inefficient, such as water races where most of the water taken from rivers is to drive and maintain flow or is lost by evapotranspiration[15].

25. While the PNRP includes some policies requiring efficiency measures[16], there are significant opportunities and benefits in moving to a more efficient water allocation system. In particular, increasing the transfer of the take and use of water within a water allocation unit enables unused water to be available to users who would otherwise not have access, or to the environment, or transferred to the highest value use. This increases efficiency and enables water to be freed up to new users to maximise use of the resource available.

26. However, there are some practical challenges to the successful and sustainable transfer of water as it relies on users being within the same water allocation management unit and therefore subject to the same minimum flows and allocation limits. It also relies on water users having the same or comparable methods to measure and report on their water use along with some regulatory oversight to ensure this is accurate, and not resulting in adverse environmental effects.

[14] Water allocation issues: http://www.gw.govt.nz/assets/Environment-Management/Whaitua/Ruamahanga/Revised-Report-Water-allocation-issues-07.03.2016.pdf and concepts for managing water allocation: http://www.gw.govt.nz/assets/Environment-Management/Whaitua/Ruamahanga/Concepts-for-managing-water-allocation-to-RWC-23.05.2016.pdf

[15] http://www.gw.govt.nz/assets/Environment-Management/Whaitua/Ruamahanga/Concepts-for-managing-water-allocation-to-RWC-23.05.2016.pdf although the report recognises that there is not rigorous data to verify these assumptions.

[16] Refer Policy P118 (Reasonable and efficient use) and Schedule Q (Reasonable and efficient use criteria).

27. For these reasons, the PNRP largely relies on a first-in-first-serve water allocation with common expiry dates being the common practices for water take re-consenting. However, the PNRP does include a policy to enable the transfer of water permits when certain criteria are met, including that the transfer occurs within the same catchment and the take is reasonable and efficient for the intended use[17]. Making the resource consent process easier may help to encourage more water transfers in the whaitua.

28. Water is used by all sectors of the community and has a range of consumptive and non-consumptive values. The existing water allocation regime in the PNRP is predominately based on maintaining ecological values and does not explicitly consider a number of other important values, such as mahinga kai, swimming, and reliability of supply[18]. There is a need to ensure equity in how water is allocated and when water restrictions apply to urban and rural water users. All water users also need to play their role in improving water efficiency in an increasingly water-constrained environment, especially at times of low flow.

3. Water quality

Issue 7: Water quality is poor in many water bodies across the whaitua and, in some places; water quality fails to meet national bottom lines and the expectations of mana whenua and the community for a range of values and uses.

Explanation:

29. Water quality is highly variable throughout the whaitua ranging from excellent to very poor. River water quality and ecosystem health is excellent in the upper reaches of rivers in the forested Tararua, Remutaka and Aorangi ranges, such as the Ruamāhanga, Waiohine and Waingawa Rivers. However, water quality declines in the valley and in the lower reach of the Ruamāhanga with nutrients, pathogens, and

[17] Refer Policy P128 (Transfer of resource consents).
[18] Water allocation issues, Murray McLea, 1 March 2016: http://www.gw.govt.nz/assets/Environment-Management/Whaitua/Ruamahanga/Revised-Report-Water-allocation-issues-07.03.2016.pdf

suspended sediment loads increasing as pastoral cover (agricultural use) and inputs from urban areas (including wastewater treatment plants) increase[19].

30. There have been very few meaningful environmental trends in water quality in the whaitua in recent times[20], indicating that overall water quality is being maintained consistent with the requirements in the RMA and PNRP. However, the current state of most rivers in the whaitua are below the expectations of mana whenua and the community and, in some cases, below national bottom lines as set out in the NPS-FM. In particular, more recent technical information collected through the Ruamāhanga Whaitua Implementation Committee process, has identified that a number of water bodies fall below the *E.Coli* national bottom lines in the NPS-FM and are not suitable for primary contact (swimming). This includes the Ruamāhanga River in two locations, the Kopuaranga, Whangaehu and Tauanui Rivers, and the Parkvale, Otukura and Mangatarere Streams. There are also rivers, such as the Kopuaranga River, where periphyton is below the national bottom lines in the NPS-FM. It is therefore no longer sufficient to maintain water quality in the whaitua – improvement is needed to meet national bottom lines and better provide for the values of mana whenua and the community.

E.Coli

31. *E. coli* is used as an indicator for the likelihood of other pathogens being present in rivers and lakes. It is an attribute within the NPS-FM used to describe the level at which water should be managed to keep people healthy while swimming or wading in rivers and lakes. The NPS-FM sets a national target for 90% of specified lakes and rivers to be suitable for primary contact no later than 2040.

32. The presence of human and animal effluent and associated pathogens in water bodies throughout the Ruamāhanga poses a risk to human health and, also impacts on other values, including mahinga kai, Māori customary use, drinking water supply and stock watering. Throughout the Ruamāhanga whaitua, *E. Coli* levels are highly variable, ranging from good to very poor.

[19] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/RiversWaterQualitySummary.pdf
[20] Ibid.

33. There are number of rivers in the Ruamāhanga catchment that are within the D (orange) and E (red) bands for *E.Coli* in the NPS-FM. *E.Coli* levels within lakes and rivers must be within A (blue), B (green) or C (yellow) bands of the NPS-FM to be considered suitable for primary contact (swimmability) therefore these waterbodies currently fail to meet national bottom lines. The level of pathogen contamination in these water bodies means that they are currently not suitable for swimming or other forms of recreation at certain times and no longer offer suitable conditions for a range of customary uses, such as mahinga kai[21]. The highest *E. coli* counts occur in the Parkvale Stream and in the lower Whangaehu and Kopuaranga rivers. The high *E. coli* occurs after rainfall and is linked to agriculture, highlighting the importance of vegetated riparian margins to filter these pathogens, and the exclusion of stock from rivers and streams[22]. Significant improvements are required to reduce *E.Coli* levels in these water bodies, both to meet national bottom lines and the expectations of mana whenua and community for water quality, recreation, customary use and human health.

Nutrients

34. One of the key issues affecting water quality in the whaitua is nutrient (nitrogen and phosphorus) enrichment. Nitrogen and phosphorus are both essential nutrients, but excessive levels in freshwater bodies have a range of adverse impacts. Nitrogen can affect human and animal health and too much nitrogen is toxic to fish and other aquatic organisms. High nutrient loads contribute to the growth of algae (periphyton in rivers and streams and phytoplankton in lakes) and aquatic plants. Excessive algae and weeds can adversely affect instream habitat for macroinvertebrate and fish species and adversely affect recreational (swimming and fishing) values[23].

35. The main sources of nitrogen and phosphorus in the whaitua are agricultural runoff and point source inputs from wastewater treatment plants[24]. Significant point source discharges of nitrogen and phosphorus into rivers and lakes occur from wastewater

[21] http://www.gw.govt.nz/assets/Environment-Management/Whaitua/Ruamahanga/Report-Pathogen-management-in-the-Ruamahanga-catchment-07.03.2016.pdf
[22] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/RiversWaterQualitySummary.pdf
[23] http://www.gw.govt.nz/assets/Environment-Management/Whaitua/Ruamahanga/Final-report-on-nutrient-management-for-RWC-09.02.2016.pdf
[24] Ibid.

treatment plants at Masterton, Carterton, Greytown, Featherston and Martinborough. Diffuse discharges of nitrogen and phosphorus in the whaitua are largely from agricultural runoff and leachate, with a relatively minor contribution from urban stormwater[25].

36. Nutrient loads are particularly high in water bodies within catchments dominated by agricultural land use; these loads can adversely affect the ability of rivers to support healthy and functioning ecosystems. High algal growth is common in late summer when low water levels can cause nutrient levels to become more concentrated than normal, with a risk of toxicity to humans, pets, and livestock.

37. While nutrient enrichment is an issue at particular hotspots within the whaitua, nitrate loads in water bodies are generally at a 'healthy' level with the river freshwater management units in the whaitua being within the A or B bands within the NPS-FM for nitrate toxicity. However, there are rivers and streams that are below national bottom lines for periphyton (e.g. Kopuaranga River, Taueru River) which is related to high nutrient loads. The Parkvale Stream has the highest nitrate levels of any monitored waterbody in the whaitua (albeit still within the B band in the NPS-FM for nitrate toxicity) and this is attributed to a range of activities, including farming and industrial discharges[26]. Parkvale Stream is also affected by low flows and a lack of shading providing optimal conditions for periphyton growth.

38. Lake Wairarapa and Lake Ōnoke are less healthy in terms of nutrients with both falling within the C band for total nitrogen. Phosphorous levels are a particular problem at Lake Wairarapa – these levels are currently within the D band of the NPS-FM therefore improvements are needed to meet national bottom lines.

39. Reducing nutrient loads throughout the whaitua is needed to safeguard the life-supporting capacity, ecosystem processes, and indigenous species and to better provide for recreational and cultural values. Reducing nutrient loads also plays an important role in reducing the growth of periphyton which is currently too high in many rivers in the whaitua.

[25] Ibid.
[26] http://www.gw.govt.nz/assets/Our-Environment/Environmental-monitoring/Environmental-Reporting/Waingawa-Groundwater-Quality-Study.pdf

Issue 8: Stream bank, lake bank and hill slope erosion is resulting in high sediment loads entering waterbodies in the Ruamāhanga degrading water quality and adversely affecting ecosystem health.

Explanation:

40. Sediment is the most significant water quality issue in the whaitua. Approximately 1.3 million tonnes of sediment is lost from land each year within the whaitua, which then moves through water bodies causing a range of adverse impacts. Much of the sediment produced in the whaitua ends up in Lake Wairarapa and Lake Ōnoke with adverse impacts on fish communities and on cultural and recreational values. There is a large load of sediment in Lake Wairarapa from many years of deposition which means there is a large load of attached phosphorus available for resuspension and dissolution in the water, significantly impacting ecosystem health[27].

41. Analysis indicates that around 79% of sediment in the whaitua comes from hill slope erosion (i.e. gully, landslide, surficial or earthflow process) and 21% from bank erosion of rivers, streams and lakes. Stream bank erosion on 'non-native'[28] land accounts for approximately 17% of the total sediment load loss per year in the entire whaitua[29].

42. Around 68% of the total sediment load within the whaitua comes from 'non-native' land, with 32% coming from 'native' land. There are five freshwater management units that contribute just over 65% of the total annual sediment load coming off "non-native" land – the Taueru, Huangarua, Eastern hill streams, Whangaehu and Kopuaranga. The sediment from these "Top-5" sediment generating catchments is negatively affecting the health of Lake Wairarapa, Lake Ōnoke and the South Wairarapa coast.

43. Sediment deposited in water bodies impacts on a range of values, including ecosystem health and the way people use water for cultural and recreational purposes. Sediment affects ecosystem function through:

[27] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Sediment-management-options-for-the-Ruamhanga-whaitua-for-09.04.2018.pdf
[28] 'Native' land is predominantly those areas in DOC estate in the Tararua and Aorangi forest parks.
[29] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Sediment-management-options-for-the-Ruamhanga-whaitua-for-09.04.2018.pdf

a) Reducing the ability of light to penetrate water affecting the ability of plants to grow;

b) Impacting the health of fish by abrading skin and gills and making predators and prey difficult to see; and

c) Filling the interstitial spaces in stream beds, making them less suitable for macroinvertebrate communities to survive and thrive[30].

44. Sediment also impacts on the way people use and perceive water through reducing visual clarity and increasing the mudiness of stream, rivers and lake beds.

45. Significant reductions in sediment loads to water bodies is required to improve ecosystem heath of water bodies in the whaitua, particularly the health of Lake Ōnoke and Lake Wairarapa. Reducing sediment load will help improve conditions for other water quality attributes, particularly macroinvertebrate community health and periphyton, and help to provide for recreational and cultural values.

Issue 9: Wairarapa Moana (Lake Wairarapa, including its wetland margins and connecting waterways) and Lake Ōnoke are in very poor health and water quality fails to meet national bottom lines.

Explanation:

46. Wairarapa Moana (Lake Wairarapa, including its wetland margins and connecting waterways) and Lake Ōnoke are highly valued by mana whenua and the community for a range of values including mahinga kai, recreation, and biodiversity[31]. However, the values of Wairarapa Moana have progressively diminished over a number of years through the disconnection, drainage and discharges. It has now been modified and polluted to the extent that the mauri of the lakes is at the point of extinction.

47. Wairarapa Moana was highly modified in the 1960s-1970s by the Lower Wairarapa Valley Development Scheme which led to a significant reduction in the extent of the lakes and wetlands, the disconnection of the Ruamāhanga River from Lake

[30] Ibid.
[31] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/MahingaKaiinWairarapaMoana-RaSmith.pdf

Wairarapa, and significant adverse effects on the ecology of the lakes and wetland area. The catchment surrounding Lake Wairarapa is now dominated by agricultural land use, including farming operations that border most of the lake margins. These surrounding land uses and associated discharges have had a strongly influence on water quality with multiple pathways for nutrients to enter the lakes.

Lake Wairarapa

48. Lake Wairarapa currently has degraded water quality, with elevated levels of nutrients (particularly phosphorus), algal biomass, and poor water clarity. The low water clarity and high phosphorus in Lake Wairarapa is primarily due to the shallow nature of the Lake which makes the lake bed sediments prone to resuspension by wind and wave action. Since the diversion of the Ruamāhanga River out of Lake Wairarapa, the Lake also acts as a 'sink' for contaminants and there is a historical build-up of sediments and nutrients stored on the lake bed (legacy nutrients) [32].

49. Lake Wairarapa is below national bottom lines in the NPS-FM for phosphorus and phytoplankton and is rated as being in a supertrophic state ('very high' nutrient enrichment). Improvements in water quality at the Lake are required both to meet national requirements and to provide for mana whenua and community values.

Lake Ōnoke

50. Lake Onoke has degraded water quality, with elevated levels of nutrients (particularly phosphorus), poor water clarity and, at times, high algal biomass. Water quality in Lake Ōnoke is also affected by wind-activated suspension of lakebed sediment, prevailing conditions in the Ruamāhanga River, and the tidal movement of salt water in and out of the Lake. The movement of salt water is significant as the Lake functions more like an estuary than a lake when the mouth is open and there is a significant amount of flushing occurring. When the mouth is closed, the Lake has limited flushing capability and is at risk from eutrophication (i.e. algal blooms).

[32] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/Lakewaterqualitysummary.pdf

Water quality is likely to vary spatially across the Lake, with poorer water quality on the western side of the Lake where less flushing occurs[33].

51. For both Lake Ōnoke and Lake Wairarapa, the existing in-lake contaminant loads, contaminants entering the lakes from the surrounding catchment, and hydrodynamics all contribute to poor ecosystem health and diminished mana whenua and community values. Restoring ecosystem health and mana whenua values will be challenging and will require both a reduction in contaminants loads and changing the hydrodynamics of the lakes. Restoring the connection between the Ruamāhanga River and Lake Wairarapa is a critical part of restoring the relationship between, and mauri of, both water bodies[34].

4. Natural form and character and habitats

Issue 10: The natural characteristics and character of waterbodies in the Ruamāhanga whaitua have been degraded to the extent that they no longer support healthy habitats.

Explanation:

52. Historical deforestation and subsequent land use throughout the catchment continue to have the most severe impacts on aquatic habitats, water quality, and the natural character of water bodies in the whaitua. River channelisation and diversions, and loss of riparian margins have significantly altered, and adversely impacted on, the natural character of water bodies and aquatic habitats throughout the whaitua. The straightening, grooming and braiding of the Ruamāhanga River has reduced natural character and ecosystem habitat, and has adverse impacts on cultural values, including mahinga kai. Loss of natural character of waterbodies has also led to a lack of shade throughout the catchment, which increases water temperatures and promotes algal growths that adversely impacts on ecosystem and human health, recreational uses and cultural values.

53. Where forest cover has been lost, the speed of water in steep hill country drives damaging flood flows. As a result, many rivers have been managed as a flood channel to protect people and property. Channelisation of rivers and streams to aid in

[33] Ibid.
[34] http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/Mana-whenua-values-04.09.17.pdf

the management has altered aquatic habitats as has the straightening of rivers (as a meandering river typically allows for more riffles, runs and pools)[35]. This has significantly impacted on the natural character and characteristics of water bodies throughout the catchment.

54. In urban areas, streams in the whaitua are often piped or artificially channelled with concrete areas, which decreases instream and riparian habitat and has resulted in a direct loss of some aquatic habitats[36]. While the most modification of streams is typically near urban areas, culverts (small and large) are also widespread in rural areas.

55. The natural character and characteristics of Lake Wairarapa and Lake Ōnoke have both been heavily modified by a range of land use, drainage, engineered management and in-river activities. The extent of the lakes and wetlands has been significantly reduced and lake levels are now being artificially managed for the purpose of flood protection. Restoring the natural character and functioning of the lakes will be challenging and will only be achieved over long timeframes.

Issue 11: The habitats of significant ecosystems in rivers, lakes and wetlands have been degraded and this is impacting on the health and availability of indigenous species valued by mana whenua and the community for a range of reasons.

Explanation:

56. There are twenty native freshwater fish currently found in the whaitua. Eleven of these are considered nationally vulnerable or nationally declining. Several of these species such as the giant kokopu are rarely sighted, and the majority of these species populations are likely to be in decline. The Ruamāhanga River appears to have lower diversity and abundance of native freshwater fish than other rivers in the region[37].

[35] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/BiodiversitySummary-Ruamahangawhaitua.pdf
[36] Ibid.
[37] http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Whaitua/BiodiversitySummary-Ruamahangawhaitua.pdf.

57. Sixteen of the 20 native freshwater species in the whaitua rely on the connection to the sea (diadromous). The Ruamāhanga River via Lake Ōnoke provides the main migration pathway between the ocean and freshwater for indigenous fish in the whaitua. A range of species, including longfin eel, koaro, redfin bully and lamprey, do migrate all the way to the headwaters (and back) in the Ruamāhanga whaitua but this journey is likely to be far harder than it previously was[38]. The habitat and health of fish species is also being impacted on by low flows, including those with relatively high flow demands such as the panoko (torrentfish).

58. Piping and culverting of streams in urban and, to a lesser extent, rural areas has resulted in a direct loss of stream habitat, and adverse effects on the health of indigenous fish species. The installation of physical barriers, such as barrage gates, culverts and weirs has impacted on the distribution of many of the fish species, as the majority need to migrate up and downstream to complete their life cycle[39].

59. Changes in catchment land-cover from indigenous forest to pastoral and urban land uses has degraded aquatic habitat through increased nutrient and sediment inputs and had adverse effects on indigenous species valued by mana whenua and the community. Reduced riparian vegetation and degraded habitat with less shade, less leaf litter (food) has resulted in less overall habitat diversity (e.g., there are less interactions between the trees and the water and wood from the trees can provide key habitat)[40].

60. Introduced exotic fish such as trout and perch significantly impact on the distribution and abundance of some native fish (e.g. dwarf galaxias). In particular, brown and rainbow trout, valued for sports fishing are predators of native fish species, especially non-migrationary fish. These exotic species are widespread in the whaitua and many rivers/lakes support significant fisheries[41]. Introduced species such as perch and rudd are also a dominant part of the fish community at Lake Wairarapa and Lake Ōnoke.

[38] Ibid.
[39] Ibid.
[40] Ibid.
[41] Ibid.

61. Wetlands are significant habitats within the whaitua that provide numerous benefits, such as maintenance of water quality and managing flow, and are valued for a range of ecological, recreational and cultural reasons. However, wetlands within the whaitua have been subject to ongoing modification and loss. Since European settlement, only 3% of the original wetland area remains in the whaitua. There is approximately 90 wetlands in the whaitua but the majority of these are small and dominated by exotic species. They are also vulnerable to other stresses because of their lack of connectivity and small size. Populations of rare plants and animals are now only found at the remaining notable wetlands, such as Allen-Lowes Reserve, Fensham Reserve, Waingawa Swamp and Carter's Reserve[42].

62. Degraded ecological health of indigenous species in the whaitua is linked with degraded instream and riparian habitat. The streams and rivers with poorest macroinvertebrate health tend to have a high amount of fine sediment on the streambed, such as the lower Whangaehu River, and/or an absence of riparian shade, such as Parkvale Stream at Weir[43].

5. Climate change

Issue 12: The effects of climate change are expected to become more pronounced, and this will exacerbate flood events, droughts, irrigation reliability and habitat loss.

Explanation:

63. Climate change is the biggest environmental challenge we face. The effects of climate change are expected to become more pronounced and this will increase the frequency of high-intensity and severe weather events (droughts and floods), decrease flows in rivers and streams, impact on reliability of water supply, and lead to habitat loss. These effects have the potential to affect communities significantly. In particular, there is expected to be tough economic and social implications to communities associated with the increased risks from extreme weather events and less reliable water supply.

[42] Ibid.
[43] Ibid.

64. Climate change predictions indicate that Wairarapa will experience a significant increase in hot days, more droughts and a significant decrease in river flows by 2040, and more so by 2090. The main changes predicted in terms of river flows within the Ruamāhanga catchment are[44]:

a) Mean flows are expected to decrease for all catchments;

b) The duration and frequency of high flows are expected to increase; and

c) Low flows (characterised by changes in 7-day MALF) are expected to reduce by 20% by mid-century, with greater (up to 40%) reductions by end of century.

65. These changes in low flow will place greater pressure on the health of waterbodies and aquatic habitats, water efficiency and the reliable supply of water. The effects of climate change therefore present significant challenges for future freshwater management within the whaitua that will require adaptive and innovative approaches from water users and the community.

[44] http://www.gw.govt.nz/assets/FINAL-Impact-of-climate-change-on-inflows-to-the-Ruamahanga-groundwater-management-zone-February-2017.pdf

Draft Objective Statements

Objective R.O1: Mauri of water bodies

The mauri of water bodies is enhanced by restoring ecological habitats (such as through riparian planting), improving water quality and ensuring that healthy and abundant mahinga kai is readily available.

Relevance

1. Objective R.O1: Mauri of water bodies is relevant to:

   - Issue 1 - Mana whenua values and interests are not well recognised in the current water management system.
   - Issue 2 - The mauri of waterbodies has been degraded through declining water quality and adverse effects on ecological habitats and the health and abundance of mahinga kai species.
   - Issue 3 - Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies of significance to them.
   - Issue 7 - Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places.

2. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga Whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

3. Objective R.01: Mauri of water bodies gives effect to a number of matters from part 2 of the RMA and most specifically to sections 6(e), 7(a) which relate to the relationship of Māori with natural resources, kaitiakitanga and the Treaty of Waitangi.

4. Objective R.01: Mauri of water bodies gives effect to the following objectives of the NPS-FM 2014:

   - Objective AA1 which is regards to regional councils making or changing plans to consider and recognise Te Mana o te Wai.
   - Objective A1 which is in regards to safeguarding the life-supporting capacity, ecosystem processes and indigenous species associated ecosystems, of fresh water and the health of people and their communities, as affected by fresh water.
   - Objective D1 which is in regards to ensuring that tangata whenua values and interests are identified and reflected in the management of fresh water.

5. Objective R.01: Mauri of water bodies gives effect to the following objectives of the RPS:

- Objective 26 which is that mauri is sustained, particularly in relation to coastal and fresh waters.
- Objective 27 that mahinga kai and natural resources used for customary purposes are maintained and enhanced and these resources are healthy and accessible to tangata whenua.
- Objective 28 that the cultural relationship of Maori with their ancestral lands, water, sites, waahi tapu and other taonga is maintained.

Feasibility

6. Objective R.O1: Mauri of water bodies is within Council's functions and responsibilities under:

- Section 30(1)(c)(ii) and (iiia) of the RMA in relation to the maintenance and enhancement of the quality of water in water bodies and the maintenance and enhancement of ecosystems in water bodies.
- Section 30(1)(f) which is to control the discharges of contaminants into or onto land, air, or water and discharges of water into water.

7. There are a number of complementary water quality objectives in Variation 1 that will assist in achieving Objective R.O1: Mauri of water bodies. If these objectives for other relevant attributes of water quality can be met overtime then it is expected that Objective R.O1: Mauri of water bodies will also be achieved. For example, Objective R.O15: Sediment seeks to improve sediment loads by achieving targets which will contribute to improve the mauri of water bodies across the Ruamāhanga overtime. As a result the risk of not achieving Objective R.O1: Mauri of water bodies is low and it is considered to be a feasible option.

8. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to ensure mauri is enhanced in the Ruamāhanga Whaitua) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[1].

Acceptability

9. Mauri, habitat, biodiversity and natural character has been identified as a value in the Ruamāhanga Whaitua by the committee[2]. Objective R.O1: Mauri is therefore consistent with identified iwi and community values and is therefore an acceptable objective for iwi and the community. Further to that, the direction of the Objective R.O1: Mauri has also been developed in partnership with the Ruamāhanga Whaitua Committee.

[1] RWIP, Recommendation 61: the formation of catchment communities, page 82
[2] RWIP, Figure 2: Ruamāhanga Whaitua Community Values, page 16

10. Objective R.O1: Mauri of water bodies will not itself result in unjustifiably high costs on the community or part of the community. As discussed above in regards to feasibility, achieving Objective R.O1: Mauri of water bodies is reliant on other relevant objectives being met overtime. These freshwater objectives, targets and limits within the whaitua are to be achieved over reasonable timeframes. As a result any associated costs can be spread out over a number of years (and in some cases many decades) which will minimise any potential social and economic impacts on the community. Accordingly, the costs of achieving Objective R.O1: Mauri of water bodies is therefore considered to be acceptable and not unjustifiably high for any parts of the community.

Objective R.O2: Natural character and natural processes

The rivers, streams, lakes and wetlands in the Ruamāhanga Whaitua have diverse natural characteristics (e.g. riffles, pools, runs, backwaters and wetland margins) suitable to support abundant and healthy indigenous fauna and taonga species.

Relevance

11. Objective R.02: Natural character and natural processes is relevant to:

- Issue 10 - The natural characteristics and character of waterbodies in the Ruamāhanga whaitua have been degraded to the extent that they no longer support healthy habitats

12. Objective R.02: Natural character and natural processes gives effect to a number of matters from part 2 of the RMA and specifically section 6(a) which is in regards to the preservation of natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers (and their margins) and section 7(c) which relates to amenity values.

13. Objective R.02: Natural character and natural processes gives effect to the following objectives of the NPS-FM 2014:

- Objective A2 of the NPS-FM, which is in regards to maintaining or improving water quality.

- Objective C1 which is providing for the integrated management of fresh water and the use and development of land in whole catchments.

14. Given Lake Onoke falls within the CMA, Objective R.02: Natural character and natural processes must also give effect to the relevant provisions in the New Zealand Coastal Policy Statement (2010) (NZCPS). Objective R.02: Natural character and natural processes give effect to Policy 13 of the NZCPS which is regards to preserving natural character of the coastal environment and to protect it from inappropriate subdivision, use and development.

15. Where the Ruamāhanga Whaitua falls within the CMA then Objective R.02: Natural character and natural processes gives effect to the following objectives of the RPS:

- Objective 4 which is that the natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development.

- Objective 5 which is that areas of the coastal environment where natural character has been degraded are restored and rehabilitated.

16. There is no specific direction in the RPS (in the form of objectives or policies) to protect natural character outside the CMA in regional plans (within surface water bodies) and therefore this direction is taken from relevant parts of the RMA as discussed above.

Feasibility

17. Objective R.02: Natural character and natural processes is within Council's functions and responsibilities under section 30(1)(c)(ii) and (iiia) of the RMA in relation to the maintenance and enhancement of the quality of water in water bodies and the maintenance and enhancement of ecosystems in water bodies and is therefore feasible.

18. There are a number of complementary objectives in Variation 1 that will assist in achieving Objective R.O2: Natural character and natural processes. If these objectives for other relevant objectives can be met overtime then it is expected that Objective R.O2: Natural character and natural processes will also be achieved overtime. For example, Objective R.O8: Protection of urban streams seeks to protect urban streams from development and piping, which will ensure that existing natural character, is maintained or improved. As a result the risk of not achieving Objective R.O2: Natural character and natural processes is low and it is considered to be a feasible option.

19. Further, Objective R.02: Natural character and natural processes can also be achieved overtime through relevant methods which will improve natural character and is therefore feasible. For example, recommendation 29 in the WIP is to identify and implement management options to enhance natural character[3].

20. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to ensure natural character is provided for in the Ruamāhanga Whaitua) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[4].

Acceptability

21. Mauri, habitat, biodiversity and natural character have been identified as a value in the Ruamāhanga Whaitua by the committee[5]. Objective R.O2: Natural character and natural processes is therefore consistent with identified iwi and community values and is therefore an acceptable objective for iwi and the community. Further to that, the direction of Objective R.O2: Natural character and natural processes has also been developed in partnership with the Ruamāhanga Whaitua Committee.

[3] RWIP, Recommendation 29: Enhancing natural form and character, page 63
[4] RWIP, Recommendation 61: the formation of catchment communities, page 82
[5] RWIP, Figure 2: Ruamāhanga Whaitua Community Values, page 16

22. Objective R.O12: Natural character and natural processes will not itself result in unjustifiably high costs on the community or part of the community. As discussed above in regards to feasibility, achieving Objective R.O2: Natural character and natural processes is reliant on other relevant objectives being met overtime. It should be noted that the relevant narrative objectives are not time bound. As a result any associated costs can be spread out over a number of years; which will minimise any potential social and economic impacts on the community. Accordingly, the costs of achieving Objective R.O2: Natural character and natural processes is therefore considered to be acceptable and not unjustifiably high for any parts of the community.

Objective R.O3: Significant indigenous ecosystems

Significant indigenous ecosystems in rivers, lakes and wetlands are protected and restored, including habitat for threatened and/or at-risk species, migratory fish and īnanga spawning (as identified in Schedule F of the PNRP).

Relevance

23. Objective R.03: Significant indigenous ecosystems is relevant to:

- Issue 11 - The habitats of significant ecosystems in rivers, lakes and wetlands have been degraded and this is impacting on the health and availability of indigenous species valued by mana whenua and the community for a range of reasons.

24. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga Whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

25. Objective R.03: Significant indigenous ecosystems gives effect to a number of matters in Part 2 of the RMA and most specifically to sections 5(2)(b) and 7(d), which are to manage natural resources while safeguarding the life-supporting capacity of air, water, soil, and ecosystems, and having particular regard to the intrinsic values of ecosystems.

26. Objective R.O3: Significant indigenous ecosystems give effect to the following objectives of the NPS-FM 2014:

- Objective A1 which is focused on safeguarding:
    - the life supporting capacity, ecosystem processes and indigenous species of fresh water; and
    - the health of people and communities, as affected by contact with fresh water.
- Objective A2 which is to maintain or improve the overall quality of fresh water within a freshwater management unit.
- Objective B2 to safeguard the life supporting capacity, ecosystem processes and indigenous species of fresh water from the taking, using, damming, or diverting of water.

27. Objective R.03: Significant indigenous ecosystems give effect to Objective 13 of the RPS, which is that the region's rivers, lakes and wetlands support healthy functioning ecosystems.

Feasibility

28. Objective R.03: Significant indigenous ecosystems is within Council functions under:

- Section 30(1)(c)(ii) and 30(1)(c)(iiia) of the RMA which is to control the use of land for the purpose of the maintenance and enhancement of the quality of water in water bodies and coastal water and the maintenance and enhancement of ecosystems in water bodies and coastal water; and

- Section 30(1)(f) of the RMA which is to control the discharges of contaminants into or onto land, air, or water and discharges of water into water.

29. There are a number of complementary water quality and water quantity objectives in the Ruamāhanga Variation 1 that will assist in achieving Objective R.O3: Significant indigenous ecosystems. If these objectives for other relevant attributes of water quality can be met overtime then it is expected that Objective R.03: Significant indigenous ecosystems will also be achieved. As a result, the risk of not achieving R.03: Significant indigenous ecosystems overtime is low and it is considered to be a feasible objective.

30. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to ensure significant indigenous ecosystems are provided for in the Ruamāhanga Whaitua) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[6].

Acceptability

31. Mauri, habitat, biodiversity and natural character have been identified as a value in the Ruamāhanga Whaitua by the committee[7]. Objective R.03: Significant indigenous ecosystems is consistent with identified iwi and community values and is therefore an acceptable objective for iwi and communities in the whaitua. Further to that, the direction of the Objective R.O3: Significant indigenous ecosystems has also been developed in partnership with the Ruamāhanga Whaitua Committee.

32. Objective R.03: Significant indigenous ecosystems in streams and rivers will not itself result in unjustifiably high costs on the community or part of the community. As discussed above in regards to feasibility, achieving Objective R.03: Significant indigenous ecosystems in streams is reliant on limits and targets being achieved to give effect to other relevant water quality objectives which form part of Variation 1.

33. Freshwater objectives, targets and limits within the Ruamāhanga Whaitua are to be achieved over reasonable timeframes (2040 or 2080 where substantive mitigations

[6] RWIP, Recommendation 61: the formation of catchment communities, page 82
[7] RWIP, Figure 2: Ruamāhanga Whaitua Community Values, page 16

are required to achieve the improvement sought). As a result any associated costs can be spread out over a number of years (and in some cases many decades) which will minimise any potential social and economic impacts on the community. Accordingly, the costs of achieving Objective R.03: Significant indigenous ecosystems is therefore considered to be acceptable and not unjustifiably high for any parts of the community.

Objective R.O4: Indigenous fish and taonga species

Indigenous fish and taonga species are able to access all tributaries of the Ruamāhanga system from the coast and lowland wetlands, up to and including first-order streams, throughout the catchment to complete their life cycles.

Relevance

34. Objective R.O4 (Indigenous fish and taonga species) is relevant to:

- Issue 1 (Mana whenua values and interests are not well recognised in the current water management system); and
- Issue 2 (The mauri of waterbodies has been degraded through declining water quality and adverse effects on ecological habitats and the health and abundance of mahinga kai species); and
- Issue 3 (Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies of significance to them); and
- Issue 10 (The natural characteristics and natural character of waterbodies in the Ruamahanga whaitua have been degraded to the extent that they no longer support healthy habitats); and
- Issue 11 (The effects of climate change are expected to become more pronounced, and this will exacerbate flood events, droughts, irrigation reliability, and habitat loss).

35. Objective R.O4 (Indigenous fish and taonga species) gives effect to a number of Part 2 matters and most specifically to sections 6(a), 6(c), 7(d), and 7(f) of the RMA. These sections relate to the preservation of ecosystems and the recognition of the value, as well as the maintenance and enhancement of the environment. Objective R.O4 is also relevant to sections 6(e), which relates to the relationship Maori have with the environment, wahi tapu, and other taonga, as well as section 7(i), which relates to the effects of climate change.

36. Some aspects are within Council's functions and responsibilities under Section 30(c)(iiia), (g)(ii) & (g)(iii) of the RMA in relation to the maintenance and enhancement of ecosystems in water bodies.

37. The objective gives effect to the following objectives of the NPS-FM 2017:

- Objective A1, which concerns safeguarding the life-supporting capacity, ecosystem processes and indigenous species associated ecosystems of freshwater.

- Objective A2, which concerns maintaining or improving freshwater quality while protecting significant bodies.

38. Objective R.O4 (Indigenous fish and taonga species) gives effect to Objective 16 of the RPS, which aims for indigenous ecosystems and habitats with significant biodiversity values to be maintained and restored to a healthy functioning state.

39. Objective R.O4 (Indigenous fish and taonga species) also gives effect to the following policies of the RPS:

- Policy 18, which focuses on protecting the aquatic ecological function of water bodies.
- Policy 23, which focuses on identifying indigenous ecosystems and habitats with significant biodiversity values.
- Policy 24, which focuses on protecting those ecosystems with significant indigenous biodiversity values.
- Policy 47, which focuses on managing effects on indigenous ecosystems and habitats with significant biodiversity issues.
- Policy 49, which focuses on recognising and providing for matters of significance to tangata whenua.

Feasibility

40. The level of risk associated with this objective is low. Wide-ranging changes are not required and the key components are increasing minimum flows and reducing stock access to river beds, which have been recommended by the whaitua committee. There is a high likelihood that implementing these changes will provide for improved fish passage.

41. It is within the Council's powers to regulate minimum flows through the Natural Resources Plan through the setting of limits and restricting the taking, damming, and diverting of water. Similarly, the Council also has the power to regulate river and stream bed disturbances through the Natural Resources Plan, which can help reduce adverse effects on freshwater habitats.

42. There are long time periods for these changes to be made and objectives to be achieved. The target dates have been set at 2040 or 2080 by the committee, providing more than two decades at least for these goals to be achieved.

Acceptability

43. One key reason this objective is acceptable is that it reflects two of the values identified by the Whaitua committee. The first is te mana o Ruamahanga – the mana of the water. Enabling fish to access all freshwater in the catchment enhances the mana and the mauri of the water. The other value this objective reflects is Maori use and mahinga kai. Restoring fish habitat to allow native fish to access all of the catchments freshwater and to exist in greater numbers. This provides a greater mahinga kai resource for mana whanua.

44. This objective was set by the whaitua committee on behalf of the communities they represent. The whaitua process involved considerable engagement with affected communities and the objectives recommended by the committee were drafted with the concerns of communities in mind.

45. This objective is unlikely to result in unjustifiably high costs for the community, as the main changes in environmental practice required are reducing damage to riverbeds (through stock exclusion, for instance) and increasing minimum flows (which could be achieved through more efficient water use, among other methods). These are changes in practice but importantly are not changed in activities and the current agricultural activities will be able to remain.

46. This objective is unlikely to result in unjustifiably high costs to communities in the Ruamahanga catchment. As the changes in land management will be spread over a long time period, so will the costs associated with these changes. Costs for some management practices such as riparian planting are also partly covered by the Council.

Objective R.O5: Habitat space

Adequate habitat space is provided for the life-supporting capacity of indigenous fish and other aquatic life in surface water bodies, including at times of low flow in the Ruamāhanga whaitua in accordance with Table X.

Relevance

47. Objective R.05: Habitat space is relevant to:

- Issue 4 - Water abstraction is placing pressure on rivers and streams to the extent that low flows occur in our rivers that harm the ecology and natural habitat and affect our ability to use rivers for recreation and cultural purposes.
- Issue 5 - The reliability of water supply for town supply, agriculture and industry is decreasing.
- Issue 6 - The current water allocation mechanism is not the most efficient or equitable method.

48. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga Whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

49. The Ruamāhanga Whaitua Committee recommended in Section 4.3.2 of the WIP that: "adequate habitat space is provided for the life-supporting capacity of indigenous fish and other aquatic life in surface water bodies, including at times of low flow". Therefore Objective R.05: Habitat space is a minor departure from the recommendation of the Ruamāhanga Whaitua Committee given it links to the water quantity limits table for the major water quantity freshwater management units[8]. This table provides water quantity limits for eight water quantity FMU's which

[8] RWIP, Table 7: Water quantity limits for the major quantity freshwater management units in the Ruamāhanga Whaitua, page 129

cover the full extent of the Ruamāhanga whaitua. It should be noted that each of the eight water quantity freshwater management units cover the full extent of the Ruamāhanga whaitua.

50. Objective R.O5 gives effect to a number of matters from part 2 of the RMA and most specifically:

- Section 5(2)(c) which is to safeguard the life-supporting capacity of water and ecosystems.
- Section 7(d) which is to have particular regard to the intrinsic values of ecosystems.

51. Objective R.O5: Habitat space gives effect to Objective B1 of the NPS-FM 2014 which is to safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the taking, using, damming, or diverting of fresh water.

52. Objective R.O5: Habitat space gives effect to the following objectives of the RPS:

- Objective 12 which is that the quality and quantity of fresh water:
  - Meets the range of uses and values for which water is required;
  - Safeguards the life supporting capacity of water bodies; and
  - Meets the reasonably foreseeable needs of future generations.
- Objective 13 which is that the rivers, lakes and wetlands support healthy functioning ecosystems.
- Objective 14 which is that fresh water available for use and development is allocated and used efficiently.

Feasibility

53. Objective R.O5: Habitat space for each of the major water quantity FMU's is within Council functions under the RMA in:

- Section 30(1)(c)(iii) which is to control the use of land to maintain the quantity of water in water bodies and coastal water;
- Section 30(1)(c)(iiia) to maintain and enhance ecosystems in water bodies and coastal water; and
- Section 30(1)(e) to control of the quantity, level, and flow of water.

54. In some of the water quantity FMU's the existing minimum flows (or the flows in which takes shall cease) in the proposed Plan do not provide habitat protection across each of the major water quantity FMU's within the Ruamāhanga whaitua[9].

55. Water quantity limits as part of Variation 1 have been set by the Ruamāhanga Whaitua Committee to provide at least 90% habitat protection (based on indicator species torrent fish) across the relevant FMU's[10]. As a result, minimum flows have increased in some FMU's to meet this community aspiration. For example, the minimum flow in the Upper Ruamāhanga was 2400 l/s in the proposed Plan, but has increased to 3250 l/s (also now with the requirement to cease take) to ensure habitat protection is provided for.

56. Habitat retention level of 90% would maintain existing population levels, whereas retention levels of 50% might result in effect on populations, especially where densities were high[11]. Accordingly, there is the appropriate level of uncertainty and risk that fish habitats can be provided for through achieving Objective R.O5: Habitat space.

57. The Ruamāhanga Whaitua Committee considered the potential impacts of these substantial increases in minimum flows and considered that they should be staggered to allow water users to adapt and prepare for change. Objective O5: Habitat space incorporates those timeframes to ensure objectives are feasible.

58. Timeframes to meet the new minimum flow requirements for communities will be staggered, whereby the increase in minimum flow is substantial, over:

- 10 years in the Waipoua water quantity FMU; and
- 20 years in the Upper Ruamāhanga water quantity FMU.

59. Conversely, where an increase in minimum flow is comparatively minor (such as the Kopuaranga River), Objective R.O5: Habitat space will require minimum flows to be achieved immediately (i.e. at the date Variation 1 is publicly notified).

60. Staggering the timeframes to meet substantial increases in minimum flow's means that exploring new water use options (which could include changes to on farm operations such as water storage during times of high flow) to achieve Objective R.O5: Habitat space can also be extended out over a number of years and is therefore feasible.

61. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to provide habitat space across each of the key water quantity FMU's in the

[9] Mike Thompson (GWRC), Minimum flow and allocation options for the Ruamāhanga River and major tributaries (2018), page 37 - 38

[10] RWIP, Table 7: Water quantity limits for the major quantity freshwater management units in the Ruamāhanga Whaitua, page 129

[11] Cawthron (2010), Instream Flow Assessment Options for Greater Wellington Regional Council, page 19

Ruamāhanga whaitua) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[12].

Acceptability

62. Mauri, habitat, biodiversity and natural character and economic use, resilience and prosperity have been identified as values by the whaitua committee[13]. Objective R.O5: Habitat space is consistent with iwi and community values identified by the Ruamāhanga Whaitua Committee and is therefore an acceptable objective for iwi and the community. Further to that, the direction of Objective R.O5: Habitat space has also been developed in partnership with the Ruamāhanga Whaitua Committee.

63. Objective R.O5: Habitat space is also more specific and directive than Objective O52 for water allocation in the proposed Plan. Including a standalone objective for habitat space allows for methods to be targeted to specific FMU's to manage minimum flows more appropriately to ensure adequate habitat space is provided for and is therefore acceptable.

64. Staggering the timeframes to meet Objective R.05: Habitat space means that any associated costs to achieve the objective can also be extended out over a number of years. As a result, the overall costs will not be unjustifiably high for the relevant landowners and communities and are considered to acceptable compared to the environmental costs of not achieving Objective R.05: Habitat space.

Objective R.O6: Restoration of tuna populations

Tuna populations are restored and populations are healthy, and can sustain recreational and customary harvests[14].

Relevance

65. The reduction in indigenous fish populations has been identified as an issue for Ruamāhanga whaitua (see Issue 3 and 10 of this s32 report).

66. The habitat and migration pathways for tuna (longfin and shortfin eels) have been affected by the modification of the natural state of the Ruamāhanga rivers and streams, lakes and wetlands.

67. Environmental modification has reduced the populations of tuna to a point where the recreational and customary harvest is not sustainable over the long term.

68. The Ruamāhanga whaitua committee recommended in Section 4.3.2[15] that:

Tuna fishery is restored and populations are healthy and can sustain recreational and customary harvests.

69. Proposed Objective R.O6 is a departure from the whaitua recommendation in regards to 'tuna fishery'. Tuna is a species managed by the Ministry for Primary

[12] RWIP, Recommendation 61: the formation of catchment communities, page 82
[13] RWIP, Figure 2: Ruamāhanga Whaitua Community Values, page 16
[14] RWIP objective changes in red
[15] RWIP, page 31

Industries under the Quota Management System. The RMA does not manage the fishery.

70. Proposed Objective R.O6: Restoration of tuna populations requires the populations of tuna are restored to higher level than is present today to provide for recreational and customary harvest. Objective R.O6 will also improve habitat condition and migration pathways of tuna to improve the status of the population more generally, especially the nationally threatened longfin eel[16.]

71. The proposed objective gives effect to RMA s5(2) by enabling people and communities to provide for their social and cultural wellbeing, and in RMA s5(2)(b) by safeguarding the life supporting capacity of ecosystems for tuna.

72. RMA 6(c) requires the protection of significant habitats of this fauna as a matter of national importance. Longfin tuna are 'at risk (declining)[17]' from habitat loss and environmental degradation in the rivers and streams in the whaitua.

73. RMA s6(e) recognises and provides for relationship of Māori and their cultural and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. The proposed objective will provide for Māori cultural traditions and their relationship with taonga.

74. RMA s6(g) requires the protection of customary rights. The proposed objective will provide for the cultural harvest of tuna in the Ruamāhanga catchment.

75. RMA s7(d) requires that particular regard be provide for the intrinsic values of ecosystems. By providing for tuna recreational and customary harvests, Objective R.O6 will involve the necessary improvements to tuna habitat and migratory systems throughout the catchment.

76. The proposed objective gives effect to the NPS-FM, Objective A1 by improving and safeguarding the life supporting capacity of fresh water ecosystems.

77. The proposed objective gives effect to the RPS Objective 13 (region's rivers, lakes and wetlands support healthy functioning ecosystems), Objective 16 (indigenous ecosystems and habitats with significant indigenous biodiversity values are maintained and restored to a healthy and functioning state) and Objective 27 (mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua). These objectives are implemented through relevant RPS policies and regional and district council provisions.

78. In the proposed Plan, Objective O14 recognises the relationship Māori has with air, land and water and this relationship is maintained and improved. This objective is implemented through proposed Policy P44 (protection and restoration of sites with significant mana whenua values) and Policy P45 (managing adverse effects on sites with significant mana whenua values). These policies are delivered through rules (Section 5.5) and methods (Section 6) of the proposed Plan.

[16] Our indigenous species in the Ruamāhanga whaitua Summary (2014), p6.
[17] Our indigenous species in the Ruamāhanga whaitua summary, page 22

79. Proposed Objective R.O6 for the Ruamāhanga catchment is more specific to tuna than the proposed Plan Objective O14, which includes all species that are part of customary harvest. The Ruamāhanga committee has consulted with the community where the values of the catchment, in this case, restoration of tuna populations for recreational and cultural harvest were identified as a priority for iwi and the community. More specific provisions for tuna are therefore proposed through Variation 1 that will work alongside the proposed Plan provisions to implement proposed Plan Objective O14.

80. The provisions to achieve proposed Objective R.O6 are assessed in Section B of this report.

Feasibility

81. Achieving proposed Objective R.O6 for restoration of tuna populations will require the successful implementation of other proposed objectives for Variation 1 including for mauri, natural character, sediment reductions, water quality, algae and invertebrates in rivers, streams and lakes.

82. It is feasible that Objective R.O6 can be met over time.

83. The timeframes for objectives generally (up to 2080) are based on what is feasible and achievable (based on the nutrient modelling and assessments). The Whaitua Committee took into account the required actions and mitigations (and costs) to achieve this objective (and other objectives). Further details on the provisions to meet this objective and other proposed objectives is provided in Section B of this report.

84. Proposed Objective R.O6 does not have a specific time frame, as do other numeric objectives, such as the objectives for sediment or nitrates. It is assumed that narrative objectives such as Objective R.O6 will be implemented along similar time frames as the implementation of the objectives with timeframes (such as proposed Objective R.O15 (Sediment)). These timeframe objectives will drive improvements in water quality and habitat heath to allow tuna populations to be restored.

85. Objective R.O6 is able to be achieved with Council's powers, skills and resources. Specifically, Council has functions under RMA s30(1)(c) to control land for the purposes of maintenance and enhancement of ecosystems in water bodies and coastal water.

86. Council has been working with communities to improve the ecosystem health of rivers and streams through ecological care groups and other actions such as working with schools[18].

87. Further, Council has been, and remains involved with the restoration and enhancement of biodiversity in rivers and streams through the implementation of the GWRC Biodiversity Strategy (currently under review), biosecurity (pest control), legal protection of significant natural ecosystems, and in planning advice on district and regional plans. These initiatives will continue with an increased focus on achieving the specific objectives for the whaitua.

[18] Enviro Schools

88. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes sought for the Ruamāhanga whaitua, including the restoration of tuna populations.

Acceptability

89. The RWIP states the values for Ruamāhanga whaitua catchment community. The values ensure the unique identify of the rivers, lakes and streams including the indigenous fish and in-stream habitat is used, valued and cared for[19], and Māori use and mahinga kai is provided for.

90. The RWIP was fully consulted over with the Ruamāhanga community. The values incorporated into the RWIP are values that community wants to achieve through the proposed objectives of the Ruamāhanga whaitua in the proposed Plan provisions.

91. Therefore, there is a high degree of acceptability in the community and with mana whenua with the outcomes sought through Objective R.O6 to improve the habitat and populations of tuna not only for recreational and customary harvest but for the general improvement in the state of tuna in the catchment.

Objective R.O7: Restoration of natural wetlands for indigenous fish populations

Natural wetlands *are restored and their extent increased to support brown mudfish, inanga spawning, and tuna populations*[20].

Relevance

92. The reduction in natural wetlands and their indigenous fish biodiversity has been identified as an issue for Ruamāhanga whaitua (see Issue 11 of this s32 report).

93. There are only 90 remaining natural wetlands (as defined in the proposed Plan) in the Ruamāhanga whaitua catchment. The majority of these natural wetlands are small (75% are under 5ha in size) and dominated by exotic plans of willows or tall fescue[21].

94. The remnant natural wetlands are vulnerable to stresses because of their lack of connectivity and size.

95. Populations of rare plants are found in the remaining natural wetlands such as Allen-Lowes Reserve and Fensham Reserve.

96. The following indigenous fish are also found in these remnant natural wetlands including brown mudfish, inanga, and longfin and shortfin eels.

97. The Ruamāhanga whaitua committee recommended in Section 4.3.2[22] that:

[19] RWIP, Figure 2, page 16
[20] RWIP objective changes in red
[21] Our indigenous species in the Ruamāhanga whaitua Summary (2014), p9
[22] RWIP, page 31

Wetlands are restored and their extent increased to support thriving mudfish, Tuna fishery is restored and populations are healthy and can sustain recreational and customary harvests.

98. Proposed Objective R.O7 is a departure from the whaitua recommendation in regards to 'wetlands'. The proposed Plan contains a new definition of 'natural wetlands' that does not include water storage ponds, water treatment ponds, gully heads and wetted pasture. Proposed Objective R.O6 has adopted the proposed Plan definition of natural wetlands.

99. Objective R.O7: Restoration of natural wetlands for indigenous fish populations requires the populations of brown mudfish, inanga, and tuna are restored to higher levels than is present today in natural wetlands. This objective will also by improving habitat condition and migration pathways for indigenous fish improve the status of the populations more generally, as most are the declining or nationally threatened such as the longfin eel[23].

100. Proposed Objective R.O7 gives effect to RMA s5(2) safeguarding the life supporting capacity of ecosystems for natural wetlands and indigenous fish.

101. RMA 6(c) requires the protection of significant indigenous vegetation and significant habitats of indigenous fauna. Natural wetlands in the Ruamāhanga catchment are significant indigenous habitat and the indigenous fish population that reside within these natural wetland are significant indigenous fauna.

102. RMA s7(d) requires that particular regard be provide for the intrinsic values of ecosystem. Objective R.O7 by providing significant natural wetlands and significant fauna gives effect to RMA s7(d) to provide for the intrinsic values of these ecosystems.

103. The proposed objective gives effect to the NPS-FM, Objective A1 by improving the life supporting capacity of fresh water ecosystems including indigenous fish species such as inanga, brown mudfish and longfin and shortfin eels.

104. The proposed objective gives effect to the RPS Objective 16 (indigenous ecosystems and habitats with significant indigenous biodiversity values are maintained and restored to a healthy and functioning state). This objective is implemented through relevant RPS policies (Policies 23 and 24) which requires the identification of ecosystem and habitats and protection of these habitats through district and regional plan provisions.

105. In the proposed Plan, Objective O28 provides that the extent of natural wetlands is maintained or increased and their condition is restored to a healthy and functioning stated as defined by Tables 3.7 and 3.8 in the proposed Plan.

106. Proposed Objective R.O7 for the Ruamāhanga catchment is more specific than the proposed Plan Objective O28. The Ruamāhanga committee has consulted with the community in the formation of the RWIP where the values of the catchment, in this case, restoration of natural wetlands and the populations of indigenous fish that use

[23] Our indigenous species in the Ruamāhanga whaitua Summary (2014), p6

natural wetlands as habitat are made more specific in the Ruamāhanga whaitua. The new provisions that will work alongside the proposed Plan provisions to implement proposed Plan Objective O14.

107. The provisions to implement proposed Objective R.O7 are assessed in Section B of this report.

Feasibility

108. Achieving proposed Objective R.O7 for restoration of natural wetlands for indigenous fish populations will require the successful implementation of other objectives for mauri, natural character, sediment reductions, water quality, algae and invertebrates in rivers, streams and lakes.

109. It is feasible that this objective can be met over time.

110. The timeframes for objectives generally (up to 2080) are based on what is feasible and achievable (based on the nutrient modelling and assessments). The Committee took into account the required actions and mitigations (and costs) to achieve the objectives. Further details on the provisions to meet this objective and other proposed objectives is provided in Section B of this report.

111. Proposed Objective R.O7 does not have a specific time frame, as do other objectives, such as the objectives for sediment or nitrates. It is assumed that narrative objectives such as Objective R.O7 will be implemented along similar time frames as implementation of the objectives with timeframes (such as proposed Objective R.O15 (Sediment)) as these will drive improvements to natural wetlands and fish populations.

112. Objective R.O7 is able to be achieved with Council's powers, skills and resources. Council has functions under RMA s30(1)(c) to control land for the purposes of maintenance and enhancement of ecosystems in water bodies and coastal water.

113. Council has been working with communities to improve the ecosystem health of rivers and streams through ecological care groups, schools, Catchment Community Groups and Industry User Groups such as Dairy NZ.

114. Further, Council has been, and remains involved with the restoration and enhancement of biodiversity in rivers and streams through the implementation of the GWRC Biodiversity Strategy (currently under review), biosecurity (pest control), legal protection of significant natural ecosystems, and in planning advice on district and regional plans.

115. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua.

Acceptability

116. The RWIP states the values for Ruamāhanga catchment community. The values ensure the unique identify of the rivers, lakes and streams including natural wetlands, indigenous fish and in-stream habitat is used, valued and cared for[24].

117. The RWIP was fully consulted over with the Ruamāhanga community. The values incorporated into the RWIP are values that community wants to achieve through the proposed objectives of the Ruamāhanga whaitua in the proposed Plan provisions.

118. Therefore, there is a degree of acceptability within the community and with mana whenua to improve the habitat of natural wetlands and populations of indigenous fish that reside in these significant areas.

Objective R.O8: Protection of urban streams from development

Urban streams are protected from development and piping to support tuna, kokōpu, and redfin bully.

Relevance

119. Development of urban streams (including piping of streams, culverts and weirs) affecting remnant indigenous fish populations has been identified as an issue for Ruamāhanga whaitua (see Issue 10 of this s32 report).

120. Development of urban streams (i.e., piping) may lead to a direct loss of stream habitat. There is already extensive culverting of urban streams to provide for urban development, however culverts are widespread in rural areas[25].

121. The installation of physical barriers such as weirs and culverts prevents fish passage and influences the distribution of native fish species that need to migrate up and downstream to complete their life cycles26.

122. Objective R.O8: Protection of urban streams to support indigenous fish such as tuna, kokōpu, and redfin bully requires the activities that would affect these fish populations such as reclamation of the bed, weirs and culverts to be avoided, or if they are unable to be avoided to be placed in such a way that fish passage and fish habitat is not compromised. This objective will also provide increased levels of habitat condition through the provisions for urban streams.

123. Proposed Objective R.O8 gives effect to RMA s5(2)(b) safeguarding the life supporting capacity of urban stream ecosystems that support remnant populations of indigenous fish.

124. RMA 6(c) requires the protection of significant indigenous vegetation and significant habitats of indigenous fauna. Urban streams can have significant biodiversity values and are important places where significant indigenous fish reside. These areas warrant a similar level of protection compared with rivers and streams outside the urban environment, where significant areas have been surveyed and are more prevalent.

[24] RWIP, Figure 2, page 16
[25] Our indigenous species in the Ruamāhanga whaitua Summary (2014), p16
[26] Our indigenous species in the Ruamāhanga whaitua Summary (2014), p16

125. Proposed Objective R.O8 gives effect to RMA s7(f) which requires the maintenance and enhancement of the environment. Urban streams for the most part in the catchment require a higher level of protection to protect the biodiversity that is within these streams. Urban streams in the catchment are part of a larger fresh water river and stream network, where the migratory fish species use the urban streams to move up and down the catchment. These streams require a higher level of maintenance and enhancement that has existed previously.

126. The proposed objective gives effect to the NPS-FM, Objective A1 by improving the life supporting capacity of urban stream fresh water ecosystems for indigenous fish species such as longfin and shortfin eels, and redfin bully.

127. The proposed objective gives effect to the RPS Objective 16 (indigenous ecosystems and habitats with significant indigenous biodiversity values are maintained and restored to a healthy and functioning state). This objective is implemented through RPS Policies 23 and 24 which require the identification of ecosystem and habitats and protection of these habitats through district and regional plan provisions.

128. In the proposed Plan, Objective O25 safeguards aquatic ecosystem health and mahinga kai in all fresh water bodies and in the coastal marine area. Proposed Plan Objective O29 provides for fish passage of fish and koura and fish passage is restored when development may affect those values. These two objectives are working together, to an extent, with proposed Objective R.O8. However, proposed Objective R.O8 is more certain and specific towards urban streams that they are given the necessary protection for the habitat and species that are resident within them for this Ruamāhanga whaitua.

129. The Ruamāhanga committee has consulted with the community in the formation of the RWIP where the values of the catchment, in this case, protection of urban streams is made more specific in the Ruamāhanga whaitua. The new provisions that will work alongside the proposed Plan provisions to implement proposed Plan Objective O25.

130. The provisions to implement proposed Objective R.O8 are assessed in Section B of this report.

Feasibility

131. Achieving proposed Objective R.O8 for protection of urban streams for indigenous fish populations will require the successful implementation of other objectives for mauri, and natural character, sediment reductions and water quality, and algae and invertebrates in rivers, streams and lakes.

132. It is feasible that this objective can be met over time. The timeframes for objectives generally (up to 2080) are based on what is feasible and achievable (based on the nutrient modelling and assessments). The Committee took into account the required actions and mitigations (and costs) to achieve the objectives. Further details on the provisions to meet this objective and other proposed objectives is provided in Section B of this report.

133. Proposed Objective R.O8 does not have a specific time frame, as do other objectives, such as the objectives for sediment or nitrates. It is assumed that

narrative objectives such as Objective R.O8 will be implemented along similar time frames as implementation of the objectives with timeframes (such as proposed Objective R.O15 (Sediment)) as these will drive improvements to natural wetlands and fish populations.

134. Objective R.O8 is able to be achieved with Council's powers, skills and resources. Council has functions under RMA s30(1)(c) to control land for the purposes of maintenance and enhancement of ecosystems in water bodies and coastal water.

135. Council has been working with communities to improve the ecosystem health of rivers and streams through ecological care groups, schools, Catchment Community Groups and Industry User Groups such as Dairy NZ.

136. Further, Council has been involved in implementing the RPS objectives and policies with regards to urban streams and the relationship to stormwater provisions in the regional plans and in the proposed Plan. The proposed Plan for urban streams has now provided further clarity and certainty around urban streams in particular discharges from stormwater, and the reclamation of the beds of rivers and streams. The implementation of the proposed Plan provisions will protect the beds of lakes and rivers from inappropriate reclamation and discharges from stormwater into urban streams.

137. Council has been, and remains involved with the restoration and enhancement of biodiversity in rivers and streams through the implementation of the GWRC Biodiversity Strategy (currently under review), biosecurity (pest control), legal protection of significant natural ecosystems, and in planning advice on district and regional plans.

138. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua.

Acceptability

139. The RWIP states the values for Ruamāhanga catchment community. The values ensure the unique identify of the rivers, lakes and streams including natural wetlands, indigenous fish and in-stream habitat is used, valued and cared for[27].

140. The RWIP was fully consulted with the Ruamāhanga community. The values incorporated into the RWIP are values that community wants to achieve through the proposed objectives of the Ruamāhanga whaitua in the proposed Plan provisions.

141. Therefore, there is a high degree of acceptability within the community and with mana whenua to protect urban streams and the indigenous fish populations that reside in these streams or for their migration from parts of the upper catchment to the coastal marine area.

Objective R.O9: Exotic fish populations

[27] RWIP, Figure 2, page 16

Exotic fish populations are at a level where they are not restricting the vitality of indigenous fish populations and the ability of mana whenua to undertake mahinga kai harvests.

Relevance

142. Exotic fish populations have been identified as affecting the distribution and abundance of indigenous fish species for mana whenua to undertake mahinga kai and recognised as an issue for the Ruamāhanga whaitua (see Issue 3 and 11 of this s32 report).

143. Exotic (or introduced) species such a trout and perch can significantly impact the distribution and abundance of some indigenous species (e.g., dwarf galaxias). Commercial and recreational harvests impact on longfin and shortfin eels and whitebait[28].

144. Objective R.O9: Exotic fish populations will ensure indigenous species are at a level to provide for mana whenua mahinga kai and cultural harvest. Indigenous species will not be out competed by exotic species for the same habitat space.

145. Proposed Objective R.O9 gives effect to RMA s5(2) by providing for peoples cultural wellbeing by enabling indigenous fish for mana whanau cultural harvest.

146. This objective gives effect RMA 6(g) by providing for indigenous fish populations to be provided for cultural harvest.

147. The proposed Objective R.O11 gives effect to the NPS-FM, Objective D1 by identifying iwi tangata whenua values and interests in fresh water and fresh water ecosystems in the Ruamāhanga whaitua.

148. The proposed objective gives effect to the RPS Objective 27 (mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua). This objective is implemented through RPS Policies 4 (resource consents), 38 (iwi planning documents), and 39 (protocols for customary purposes on public land). These policies require district and regional plans, in coloration with local iwi provide for areas where cultural harvest can take place.

149. In the proposed Plan, Objective O26 provides for mahinga kai species to support customary harvest, and the kai is increased in quantity, quality and diversity. This objective is working for the entire region to ensure cultural harvests are able to be provided for. Proposed Objective R.O9 however, is more specific to promote indigenous fish species over non-indigenous fish species in the Ruamāhanga whaitua.

150. The Ruamāhanga committee has consulted with the community in the formation of the RWIP, where the values of the catchment, in this case, enabling indigenous species over exotic species are available as mahinga kai. The availability of mahinga kai is made more specific in the Ruamāhanga whaitua (Chapter 7 of the proposed Plan) with new provisions that will work alongside the proposed Plan provisions.

[28] Our indigenous species in the Ruamāhanga whaitua Summary (2014), p7, p 23

151. The provisions to implement proposed Objective R.O9 are assessed in Section B of this report.

Feasibility

152. Achieving proposed Objective R.O9 for providing for indigenous species over exotic species in rivers, streams and lakes will require the successful implementation of other objectives for mauri, natural character, sediment reductions, water quality, algae and invertebrates in rivers, streams and lakes.

153. It is feasible that this objective can be met over time. The timeframes for objectives generally (up to 2080) are based on what is feasible and achievable (based on the nutrient modelling and assessments). The Committee took into account the required actions and mitigations (and costs) to achieve the objectives. Further details on the provisions to meet this objective and other proposed objectives is provided in Section B of this report.

154. Proposed Objective R.O9 does not have a specific time frame, as do other objectives, such as the objectives for sediment or nitrates. It is assumed that narrative objectives such as Objective R.O9 will be implemented along similar time frames as implementation of the objectives with timeframes (such as proposed Objective R.O15 (Sediment)) as these will drive improvements to natural wetlands and fish populations.

155. Objective R.O9 is able to be achieved with Council's powers, skills and resources. Council has functions under RMA s30(1)(c) to control land for the purposes of maintenance and enhancement of ecosystems in water bodies and coastal water.

156. Council has been working with communities to improve the ecosystem health of rivers and streams through ecological care groups, schools, Catchment Community Groups and Industry User Groups such as Dairy NZ.

157. Council has been, and remains involved with the restoration and enhancement of biodiversity in rivers and streams through the implementation of the GWRC Biodiversity Strategy (currently under review), biosecurity (pest control), legal protection of significant natural ecosystems, and in planning advice on district and regional plans.

158. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua.

Acceptability

159. The RWIP states the values for Ruamāhanga catchment community. The values ensure the unique identify of the rivers, lakes and streams including natural wetlands, indigenous fish and in-stream habitat is used, valued and cared for[29].

[29] RWIP, Figure 2, page 16

160. The RWIP was fully consulted with the Ruamāhanga community. The values incorporated into the RWIP are values that community wants to achieve through the proposed objectives of the Ruamāhanga whaitua in the proposed Plan provisions.

161. Therefore, there is a degree of acceptability within the community and with mana whenua to provide for mahinga kai and customary harvest of fish species in rivers and streams in the whaitua catchment.

Objective R.O10: Mahinga kai for marae and mana whenua urban communities

Marae and mana whenua urban communities have access to abundant and healthy mahinga kai species that are safe to eat and are available in quantities that enable sustainable harvests and support the manaakitanga of Wairarapa marae communities.

Relevance

162. Objective R.O10: Mahinga kai across the Ruamāhanga Whaitua is relevant to the following issues:

- Issue 1 - Mana whenua values and interests are not well recognised in the current water management system.
- Issue 2 - The mauri of waterbodies has been degraded through declining water quality and adverse effects on ecological habitats and the health and abundance of mahinga kai species.
- Issue 3 - Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies of significance to them.
- Issue 7 - Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places.

163. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga Whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

164. Objective R.O10: Mahinga kai for marae and mana whenua urban communities is directly related to a number of matters from part 2 of the RMA and most specifically to:

- Section 6(e) which requires decision-makers to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga when managing natural and physical resources.
- Section 7(a) which requires decision-makers to have particular regard to kaitiakitanga when managing natural and physical resources.

165. Objective R.O10: Mahinga kai for marae and mana whenua urban communities gives effect to the following objectives of the NPS-FM 2014:

- Objective A1(a) and Objective B1 which is focussed on safeguarding the life supporting capacity, ecosystem processes and indigenous species of fresh water; and

- Objective D1 which is to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water, including associated ecosystems.

166. Objective R.O10: Mahinga kai for marae and mana whenua urban communities gives effect to the following objectives of the RPS:

- Objective 24 which is that the principals of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.

- Objective 26 which is that Mauri is sustained, particularly in relation to coastal and fresh waters.

- Objective 27 which is that mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.

Feasibility

167. Objective R.O10: Mahinga kai for marae and mana whenua urban communities is within Council's functions and responsibilities under:

- Section 30(1)(c)(iiia) which is to control the use of land for the purpose of the maintenance and enhancement of ecosystems in water bodies and coastal water; and

- Section 30(1)(f) which is to control the discharges of contaminants into or onto land, air, or water and discharges of water into water.

168. Urban streams in the Ruamāhanga Whaitua are rich source of mahinga kai for marae and mana whenua; such as the Kuripuni and Mākōura Streams. Mahinga kai species, including watercress and tuna, are harvested by mana whenua and local marae at certain locations along relevant urban streams.

169. There are a number of complementary objectives in the Ruamāhanga Variation 1 that will assist in achieving Objective R.O10: Mahinga kai for marae and mana whenua urban communities. Therefore if these relevant objectives can be met overtime, then it is expected that Objective R.O10: Mahinga kai for marae and mana whenua urban communities will also be achieved. For example, achieving Objective R.O8: Protection of urban streams will mean that small streams in urban areas are not piped and as a result habitat values and harvesting locations for relevant mahinga kai species will also be retained. Further, achieving the relevant water quality objectives in urban streams (such as E. coli limits in the Parkvale stream) will also provide assistance in giving effect to Objective R.O10: Mahinga kai for marae and mana whenua urban communities. Accordingly the risk of not achieving Objective R.O1O: Mahinga kai for marae and mana whenua urban communities overtime is low and it is considered to be a feasible objective.

170. Currently there is not a good understanding as to whether mahinga kai across the Ruamāhanga Whaitua is safe to harvest and eat, especially in urban areas. Therefore, to ensure Objective R.O10: Mahinga kai for marae and mana whenua urban communities is achieved overtime, monitoring will be undertaken in urban streams across the Ruamāhanga Whaitua where mahinga kai is harvested[30].

171. Further, Objective R.O10: Mahinga kai for marae and mana whenua urban communities provides guidance to applicants and decision makers on resource consents by setting out the importance of mahinga kai for marae and mana whenua urban communities and is therefore feasible.

172. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to ensure marae and mana whenua urban communities have access to abundant and healthy mahinga kai) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[31].

Acceptability

173. Mahinga kai has been identified as a value in the Ruamāhanga whaitua by the committee[32]. Objective R.O10: Mahinga kai for marae and mana whenua urban communities is consistent with identified iwi and community values and is therefore an acceptable objective for iwi and communities in the whaitua. Further to that, the direction of the Objective R.O10: Mahinga kai for marae and mana whenua urban communities has also been developed in partnership with the Ruamāhanga Whaitua Committee.

174. Objective R.O10: Mahinga kai for marae and mana whenua urban communities will not itself result in unjustifiably high costs on the community or part of the community. As discussed above in regards to feasibility, achieving Objective R.O10: Mahinga kai for marae and mana whenua urban communities is reliant on limits and targets being achieved to give effect to other relevant water quality objectives which form part of Variation 1.

175. Freshwater objectives, targets and limits within the whaitua are to be achieved over reasonable timeframes (2040 or 2080 where substantive mitigations are required to achieve the improvement sought). As a result any associated costs can be spread out over a number of years (and in some cases many decades) which will minimise any potential social and economic impacts on the community. Accordingly, the costs of achieving Objective R.O10: Mahinga kai for marae and mana whenua urban communities is therefore considered to be acceptable and not unjustifiably high for any parts of the community.

Objective R.O11: Watercress

Watercress is abundant and healthy, safe to eat and free from spray and other contaminants.

[30] RWIP, Recommendation 1: monitoring in partnership with mana whenua, page 23
[31] RWIP, Recommendation 61: the formation of catchment communities, page 82
[32] RWIP, Ruamāhanga Whaitua Community Values, page 16

Relevance

176. The use of watercress for cultural harvest in rivers and streams has been identified as an issue for the Ruamāhanga whaitua (see Issue 1 and 3 of this s32 report).

177. Streams in the Ruamāhanga whaitua catchment are known gathering sites for watercress. The Parkvale Stream for example, is where watercress is gathered for cultural purposes.

178. Watercress is affected by in-stream pollutants in particular liver fluke, making the watercress unsafe to eat.

179. Streams where watercress is found are also subject to regular spray operations to improve stream flow. Spraying directly affects the watercress plant and renders the cress unable to be consumed.

180. Objective R.O11: Watercress will provide for the places where watercress can grow and be safe to eat for cultural harvest. This objective relates to other objectives for the Ruamāhanga whaitua, where indigenous fish species and habitats are protected, and water quality is maintained or improved to enable the use of resources for cultural purposes.

181. Proposed Objective R.O11 gives effect to RMA s5(2) by providing for peoples cultural wellbeing by enabling the safe use of watercress in streams of the Ruamāhanga whaitua catchment.

182. This objective gives affect RMA 6(g) by providing for watercress in recognised rivers and streams and enabling the watercress to be consumed for cultural harvest.

183. The proposed Objective R.O11 gives effect to the NPS-FM, Objective D1 by identifying iwi tangata whenua values and interests in fresh water and fresh water ecosystems in the Ruamāhanga whaitua.

184. The proposed objective gives effect to the RPS Objective 27 (mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua). This objective is implemented through RPS Policies 4 (resource consents), 38 (iwi planning documents), and 39 (protocols for customary purposes on public land). These policies require district and regional plans, in coloration with local iwi provide for areas where cultural harvest can take place.

185. In the proposed Plan, Objective O26 provides for mahinga kai species to support customary harvest, and the kai is increased in quantity, quality and diversity. This objective is working for the entire region to ensure cultural harvests are able to be provided for. Proposed Objective R.O11 however, is more specific to the rivers and streams in the Ruamāhanga whaitua, where watercress has been identified as requiring protection from adverse effects such as in-stream contaminants and from sprays.

186. The Ruamāhanga committee has consulted with the community in the formation of the RWIP, where the values of the catchment, in this case, provision of watercress is safe to eat. The cultural harvest of watercress is made more specific in the

Ruamāhanga whaitua (Chapter 7 of the proposed Plan) with new provisions that will work alongside the proposed Plan provisions.

187. The provisions to implement proposed Objective R.O11 are assessed in Section B of this report.

Feasibility

188. Achieving proposed Objective R.O11 for providing watercress in rivers and streams will require the successful implementation of other objectives for mauri, and natural character, sediment reductions and water quality, and algae and invertebrates in rivers, streams and lakes.

189. It is feasible that this objective can be met over time. The timeframes for objectives generally (up to 2080) are based on what is feasible and achievable (based on the nutrient modelling and assessments). The Committee took into account the required actions and mitigations (and costs) to achieve the objectives. Further details on the provisions to meet this objective and other proposed objectives is provided in Section B of this report.

190. Proposed Objective R.O11 does not have a specific time frame, as do other objectives, such as the objectives for sediment or nitrates. It is assumed that narrative objectives such as Objective R.O11 will be implemented along similar time frames as implementation of the objectives with timeframes (such as proposed Objective R.O15 (Sediment)) as these will drive improvements to natural wetlands and fish populations.

191. Objective R.O11 is able to be achieved with Council's powers, skills and resources. Council has functions under RMA s30(1)(c) to control land for the purposes of maintenance and enhancement of ecosystems in water bodies and coastal water.

192. Council has been working with communities to improve the ecosystem health of rivers and streams through ecological care groups, schools, Catchment Community Groups and Industry User Groups such as Dairy NZ.

193. Council has been, and remains involved with the restoration and enhancement of biodiversity in rivers and streams through the implementation of the GWRC Biodiversity Strategy (currently under review), biosecurity (pest control), legal protection of significant natural ecosystems, and in planning advice on district and regional plans.

194. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua.

Acceptability

195. The RWIP states the values for Ruamāhanga catchment community. The values ensure the unique identify of the rivers, lakes and streams including natural wetlands, indigenous fish and in-stream habitat is used, valued and cared for[33].

196. The RWIP was fully consulted with the Ruamāhanga community. The values incorporated into the RWIP are values that community wants to achieve through the proposed objectives of the Ruamāhanga whaitua in the proposed Plan provisions.

197. Therefore, there is a high degree of acceptability within the community and with mana whenua to provide for customary harvest of watercress in rivers and streams in the whaitua catchment.

Objective R.O12: Fish habitat in specific FMUs

Habitats of indigenous fish species are increased and to ensure that:

(a) In Western hill rivers, longfin tuna and deep pool habitats are supported, and panoko are abundant in riffles, and

(b) In Eastern Hill rivers, including the Eastern hill rivers and streams group and the Northern rivers group, sediment is reduced and habitat is improved to enable tuna to thrive, and

(c) In western lowland rivers (Ruamahanga main stem and Valley floor streams), habitat is increased to enable inanga spawning, deep pools for tuna, and riffles for panoko to thrive."

Relevance

198. Objective R.O12: (Fish habitat in specific FMUs) is directed at addressing the following issues:

- Issue 3 (Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies of significance to them); and
- Issue 4 (Water abstraction is placing pressure on rivers and streams to the extent that low flows occur in our rivers that harm the ecology and natural habitat and affect our ability to use rivers for recreation and cultural purposes); and
- Issue 8 (Stream bank, lake bank, and hill slope erosion is resulting in high sediment loads entering waterbodies in the Ruamahanga degrading water quality and adversely affecting ecosystem health); and
- Issue 10 (The natural characteristics and natural character of waterbodies in the Ruamahanga whaitua have been degraded to the extent that they no longer support healthy habitats).

199. Objective R.O12 (Fish habitat in specific FMUs) is focused on achieving a number of Part 2 RMA matters and most specifically:

[33] RWIP, Figure 2, page 16

- Section 6(a), which requires that the Council recognises and provides for 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; and

- Section 6(c), which requires that the Council recognises and provides for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and

- Section 7(d),which requires that the Council has particular regard to the intrinsic values of ecosystems; and

- Section 7(f), which requires that the Council has particular regard to maintenance and enhancement of the quality of the environment.

200. Some aspects are within Council's functions and responsibilities under section 30(1)(f) and section 30(1)(e of the RMA in relation to the maintenance and enhancement of ecosystems in water bodies.

201. The objective gives effect to the following objectives of the NPS-FM 2014:

- Objective A1, which is to safeguard the life-supporting capacity, ecosystem processes and indigenous species, including their associated ecosystems, of fresh water.

- Objective A2, which is to maintain or improve freshwater quality while protecting the significant values of outstanding wetlands and wetlands.

- Objective B1, which is to safeguard the life-supporting capacity, ecosystem processes, and indigenous species by sustainably managing the taking, using, damming, and diverting of water.

202. Objective R.O12 (Fish habitat in specific FMUs) gives effect to the following objectives in the RPS:

- Objective 12 which is for the quantity and quality of freshwater to meet the use and values that require water, safeguard the life-supporting capacity of water bodies, and meet the reasonably foreseeable needs of future generations.

- Objective 13 which is for the region’s rivers, lakes, and wetlands to support healthy functioning ecosystems.

- Objective 16 which is for indigenous ecosystems and habitats with significant biodiversity values to be maintained and restored to a healthy functioning state.

203. Objective R.O12 (Fish habitat in specific FMUs) also gives effect to the following policies of the RPS:

- Policy 23, which focuses on identifying indigenous ecosystems and habitats with significant biodiversity values.

- Policy 47, which focuses on managing effects on indigenous ecosystems and habitats with significant biodiversity issues when preparing and considering a plan change or variation.

Feasibility

204. The restoration of fish habitat the Committee is aiming for within the identified FMUs is unlikely to be achieved through incremental/small improvements to the current water management framework. Instead, a wide-reaching change to way water is managed and habitats are protected in the Ruamahanga catchment will be essential.

205. Achieving this objective will require significant reductions in numerous contaminants (such as nitrate, ammonia, and sediment) that are discharged into the freshwater management units identified within objective. This would necessitate significant changes to current land management and environmental practice.

206. While there is no set date for the narrative objectives, the improvements in water quality that will aid in achieving this objective are set to be achieved over a long time period – 2040 to 2080. This long timeframe provides sufficient time for changes in riparian and river management to take effect and contribute to restoring habitats.

207. It is within the Council's powers and resources to encourage and support the restoration of freshwater habitats in the Ruamahanga catchment. Through the Natural Resources Plan the Council can regulate land use and discharges to reduce the entry of contaminants into freshwater. The Council can also use the Natural Resources Plan to articulate methods to help landowners achieve better environmental practice, such as riparian planting.

Acceptability

208. There is one value identified by the Ruamahanga Whaitua Committee that relates to specific freshwater fish habitats. This is Value 1: Te Mana o Ruamahanga. The mana of the river includes freshwater habitat and biodiversity as well as water quality. Restoring degraded fish habitat is a key component of enhancing te mana o te wai.

209. This objective was set by the whaitua committee on behalf of the communities they represent. The whaitua process involved considerable engagement with affected communities and the objectives recommended by the committee were drafted with the concerns of communities in mind.

210. This objective combines three objectives set by the whaitua committee on the basis that the three objectives, despite dealing with separate FMUs, are aiming to achieve outcomes in fish habitats that overlap and will require very similar changes in land management and environmental practice. Because of this high degree of similarity, it is acceptable and efficient to integrate these into a single objective. This remains consistent with iwi and community values as the specific outcomes sought for specific FMU are still referred to within the single objective.

211. This objective is unlikely to result in unjustifiably high costs to communities in the Ruamahanga catchment. As the changes in land management will be spread over a long time period, so will the costs associated with these changes. Costs for some management practices such as riparian planting are also partly covered by the Council.

Objective R.013: Fish and Mahinga kai in the Wairarapa Moana

In Wairarapa Moana, including Lake Wairarapa and Lake Ōnoke:

- *Exotic fish populations are at a level where they are not restricting the vitality of indigenous fish populations and the ability of mana whenua to undertake mahinga kai harvests*
- *All age classes of kākahi are present, indicative of a sustainable population*
- *Black flounder and other saltwater species are abundant*
- *The abundance of tuna is restored and populations are healthy and can sustain recreational and customary harvests*
- *The Lake Ōnoke mouth is managed to meet the needs of migratory (diadromous) fish species and mahinga kai harvests*
- *Habitat for native fish indigenous fish is restored*

Relevance

212. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is relevant to:

- Issue 1 - Mana whenua values and interests are not well recognised in the current water management system.
- Issue 2 - The mauri of waterbodies has been degraded through declining water quality and adverse effects on ecological habitats and the health and abundance of mahinga kai species.
- Issue 3 - Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies of significance to them.
- Issue 7 - Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places.

213. The Ruamāhanga Whaitua Committee recommended in Section 4.3.1 that: *"Tuna fishery is restored and populations are healthy and can sustain recreational and customary harvests."*. Therefore, Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is in part a departure from the whaitua recommendation in regards to "*tuna fishery*". Tuna is a species managed by the Ministry for Primary Industries under the Quota Management System. The RMA does not manage the fishery.

214. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana combines six objectives set by the whaitua committee on the basis that each of the objectives are

aiming to achieve similar outcomes for fish and mahinga kai across the Wairarapa Moana.

215. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

216. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is directly related to a number matters from part 2 of the RMA and most specifically to:

- Section 6(e) which requires decision-makers to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga when managing natural and physical resources.
- Section 7(a) which requires decision-makers to have particular regard to kaitiakitanga when managing natural and physical resources.
- Section 7(d) which is in regards to the intrinsic values of ecosystems.

217. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana gives effect to the following objectives of the NPS-FM 2014:

- Objective A1(a) and Objective B1 which is focussed on safeguarding the life supporting capacity, ecosystem processes and indigenous species of fresh water; and
- Objective D1 which is to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water, including associated ecosystems.

218. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana gives effect to the following objectives of the RPS:

- Objective 12 which is that water quantity and quality meets the range of uses and values for which water is required, the life supporting capacity of waterbodies is safeguarded and the reasonably foreseeable needs of future generations are met.
- Objective 24 which is that the principals of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.
- Objective 26 which is that Mauri is sustained, particularly in relation to coastal and fresh waters.
- Objective 27 which is that mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.

Feasibility

219. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is within Council's functions and responsibilities under:

- Section 30(1)(c)(iiia) of the RMA which is to control the use of land for the purpose of the maintenance and enhancement of ecosystems in water bodies and coastal water; and
- Section 30(1)(f) of the RMA which is to control the discharges of contaminants into or onto land, air, or water and discharges of water into water.

220. There are a number of complementary water quality objectives in Variation 1 that will assist in achieving Objective R.O13: Fish and mahinga kai in the Wairarapa Moana. If these objectives for other relevant attributes of water quality can be met overtime then it is expected that Objective R.O13: Fish and mahinga kai in the Wairarapa Moana will also be achieved. For example, in Lake Onoke, improving the current state of E. coli and total nitrogen by 2040 will overall improve aquatic habitat and therefore the abundance of each of the fish and mahinga kai set out within Objective R.O13: Fish and mahinga kai in the Wairarapa Moana. As a result the risk of not achieving Objective R.O13: is low and it is considered to be a feasible option.

221. Objective O30 in the proposed Plan seeks to maintain and improve trout habitat and spawning sites to give effect to section 7(h) of the RMA[34]. Given this matter is already managed under the proposed Plan no further changes provisions of trout habitat protection are recommended as part of Variation 1.

222. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to provide for fish and mahinga kai across the Ruamāhanga Whaitua) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[35].

Acceptability

223. Mauri, habitat, biodiversity, and natural character and mahinga kai have been identified as values in the Ruamāhanga Whaitua by the committee[36]. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is therefore consistent with identified iwi/community values and is therefore an acceptable objective for iwi and the community. Further to that, the direction of Objective R.O13: Fish and mahinga kai in the Wairarapa Moana has also been developed in partnership with the Ruamāhanga Whaitua Committee.

224. Objective R.O13: Fish and mahinga kai in the Wairarapa Moana will not itself result in unjustifiably high costs on the community or part of the community. As discussed above in regards to feasibility, achieving Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is reliant on other relevant objectives being met over time.

[34] RWIP, Habitat of trout and salmon, page 59
[35] RWIP, Recommendation 61: the formation of catchment communities, page 82
[36] RWIP, Figure 2: Ruamāhanga Whaitua Community Values, page 16

225. Freshwater objectives, targets and limits within the whaitua are to be achieved over reasonable timeframes (2040 or 2080 where substantive mitigations are required to achieve the improvement sought). As a result any associated costs can be spread out over a number of years (and in some cases many decades) which will minimise any potential social and economic impacts on the community. Accordingly, the costs of achieving Objective R.O13: Fish and mahinga kai in the Wairarapa Moana is therefore considered to be acceptable and not unjustifiably high for any parts of the community.

Objective R.O14: Mahinga kai in streams and rivers

Mahinga kai is abundant and healthy in the following water bodies of significance to Wairarapa marae, mana whenua and the wider Wairarapa community:

- *Mākōura Stream*
- *Kuripuni Stream*
- *Papawai Stream*
- *Mangarara Stream*
- *Carters Reserve*
- *Tūranganui River*
- *Tauanui River*.

Relevance

226. Objective R.O14: Mahinga kai in streams and rivers is relevant to the following issues:

- Issue 1 - Mana whenua values and interests are not well recognised in the current water management system.
- Issue 2 - The mauri of waterbodies has been degraded through declining water quality and adverse effects on ecological habitats and the health and abundance of mahinga kai species.
- Issue 3 - Marae and mana whenua no longer have access to healthy, abundant mahinga kai species from waterbodies of significance to them.
- Issue 7 - Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places.

227. Objective R.O14: Mahinga kai in streams and rivers combines six objectives set by the whaitua committee on the basis that each of the objectives are aiming to achieve similar outcomes for mahinga kai across each of the relevant streams and rivers.

228. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga Whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

229. Objective R.O14: Mahinga kai in streams and rivers is directly related to a number of matters from part 2 of the RMA and most specifically to:

- Section 6(e) which requires decision-makers to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga when managing natural and physical resources.

- Section 7(a) which requires decision-makers to have particular regard to kaitiakitanga when managing natural and physical resources.

230. Objective R.O14: Mahinga kai in streams and rivers in streams and rivers gives effect to the following objectives of the NPS-FM 2014:

- Objective A1(a) and Objective B1 which is focussed on safeguarding the life supporting capacity, ecosystem processes and indigenous species of fresh water; and

- Objective D1 which is to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water, including associated ecosystems.

231. Objective R.O14: Mahinga kai in streams and rivers gives effect to the following objectives of the RPS:

- Objective 24 which is that the principals of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.

- Objective 26 which is that Mauri is sustained, particularly in relation to coastal and fresh waters.

- Objective 27 which is that mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.

Feasibility

232. Objective R.O14: Mahinga kai in streams and rivers is within Council's functions and responsibilities under:

- Section 30(1)(c)(iiia) of the RMA which is to control the use of land for the purpose of the maintenance and enhancement of ecosystems in water bodies and coastal water; and

- Section 30(1)(f) of the RMA which is to control the discharges of contaminants into or onto land, air, or water and discharges of water into water.

233. There are a number of complementary water quality objectives in the Ruamāhanga Variation 1 that will assist in achieving RO14. If these objectives for other relevant attributes of water quality can be met overtime then it is expected that Objective

R.O14: Mahinga kai in streams and rivers will also be achieved. For example, Objective R.O15: for sediment seeks to improve sediment loads by achieving targets across the Ruamāhanga which will improve aquatic ecosystem habitats and therefore improve the health and abundance of mahinga kai overtime. As a result, the risk of not achieving Objective R.O14: Mahinga kai in streams and rivers overtime is low and it is considered to be a feasible objective.

234. Currently there is not a good understanding as to whether mahinga kai in the relevant rivers and streams is safe to harvest and eat. Therefore, to ensure Objective R.O14: Mahinga kai in streams and rivers is achieved overtime, monitoring will be undertaken in each of the relevant streams and rivers[37].

235. Further, Objective R.O14: Mahinga kai in streams and rivers provides guidance to applicants and decision makers on resource consents by setting out the importance of mahinga kai within the relevant streams and rivers of significance to Wairarapa marae, mana whenua and the wider Wairarapa community and is therefore feasible.

236. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to ensure mahinga kai is provided for across each of the streams and rivers set out in Objective R.O14) will be a key mechanism to give effect to the NPS-FM and is therefore feasible[38].

Acceptability

237. Mahinga kai has been identified as a value in the Ruamāhanga Whaitua by the committee[39]. Objective R.O14: Mahinga kai in streams and rivers is consistent with identified iwi and community values and is therefore an acceptable objective for iwi and communities in the whaitua. Further to that, the direction of the Objective R.O14: Mahinga kai in streams and rivers has also been developed in partnership with the Ruamāhanga Whaitua Committee.

238. The key difference between Objective R.O14: Mahinga kai in streams and rivers and the relevant objectives for mahinga kai within the proposed Plan (Objectives O5, Objective O25 and Objective O26) is that:

- Objective R.O14 sets out the specific streams and rivers across the Ruamāhanga Whaitua where mahinga kai is to be abundant and healthy; whereas

- Objectives O5, Objective O25 and Objective O26 in the proposed Plan seek to safeguard aquatic ecosystem health and mahinga kai across the wider Wellington region.

239. Objective R.O14: Mahinga kai in streams and rivers is therefore more specific, relevant, and acceptable to the Ruamāhanga Whaitua than the objectives for aquatic ecosystem health and mauri in the proposed Plan. This also allows for methods to be

[37] RWIP, Recommendation 1: monitoring in partnership with mana whenua), page 23
[38] RWIP, Recommendation 61: the formation of catchment communities, page 82
[39] RWIP, Ruamāhanga Whaitua Community Values, page 16

targeted to specific waterbodies of significance to Wairarapa marae, mana whenua and the wider Wairarapa community.

240. Objective R.O14: Mahinga kai in streams and rivers will not itself result in unjustifiably high costs on the community or part of the community. As discussed above in regards to feasibility, achieving Objective R.O14: Mahinga kai in streams and rivers is reliant on other relevant objectives being met overtime.

241. Freshwater objectives, targets and limits within the whaitua are to be achieved over reasonable timeframes (2040 or 2080 where substantive mitigations are required to achieve the improvement sought). As a result any associated costs can be spread out over a number of years (and in some cases many decades) which will minimise any potential social and economic impacts on the community. Accordingly, the costs of achieving Objective R.O14: Mahinga kai in streams and rivers is therefore considered to be acceptable and not unjustifiably high for any parts of the community.

Objective R.O15: Sediment reduction targets

*Sediment is reduced in **surface water bodies**, lakes and **natural wetlands** in accordance with the targets identified in Table X for the Ruamāhanga Freshwater Management Units by 2050.*

Relevance

242. Discharges of sediment into water bodies has been identified as a critical water quality issue for the Ruamāhanga whaitua (see Issue 7, 8, 9, 10 and 11 of this s32 report).

243. Reducing sediment load in rivers and streams can improve conditions for the macroinvertebrate community and fish health. Reductions in sediment can also contribute towards recreational and cultural values of water bodies.

244. In the Ruamāhanga whaitua discharges of sediment to rivers and streams ends up in Lake Wairarapa and Lake Ōnoke which impacts on recreational values and fish communities[40].

245. Proposed Objective R.O15: Sediment sets the long term targets for reductions in sediment load to improve water quality consistent with the Ruamāhanga Whaitua Implementation Plan[41].

246. Proposed Objective R.O15: Sediment sets water quality targets for sediment, which results in improvements in the current state of water quality. The water quality targets for sediment are to be achieved by 2050.

247. Sediment is derived from "native" and "non-native" land. On non-native land, sediment loads to rivers, streams and lakes is generated from slips and slumps, earthflows, and gully erosion on pastoral land, and land uses such as earthworks for roads and tracks and building platforms. There is identified soil erosion on native land (i.e., Tararua Ranges and Remutaka Ranges) which is managed by the

[40] Ruamāhanga WIP, page 75
[41] Ruamāhanga WIP, page 75

Department of Conservation. This Crown land is outside the Ruamāhanga whaitua area.

248. Sediment modelling undertaken for the Ruamāhanga whaitua shows that 5 FMUs – Taueru River, Huangarua River, Eastern hill streams, Whangaehu River and Kopuaranga River contribute over 65% of all the sediment coming off non-native land. This amount is substantial compared with other FMUs and will require a specific policy approach to reducing sediment loads in these FMUs in line with the targets in Table X.

249. Table X shows the sediment target to be reached by 2050 for each FMU in the Ruamāhanga whaitua. In total, these targets would see approximately a 30% reduction in the total annual sediment load across the whaitua[42].

250. Reducing sediment in the Ruamāhanga whaitua as proposed in Objective R.O15 is directly relating to achieving the purpose of the RMA s5(2)(b) by safeguarding the life supporting capacity of water and soil through the proposed reductions in sediment reaching water bodies from land use practices.

251. Proposed Objective R.O15 gives effect to RMA s7(c) and (f) by improving the amenity values of rivers, stream and lakes and increasing their recreational potential, and enhancing the quality of in-stream environment of water bodies.

252. Objective R.O15 is within Councils function as a function of regional councils in RMA s30(1(c)(i)(ii) and (iiia) is to control of land for soil conservation purposes and for the maintenance and enhancement of water bodies.

253. Proposed Objective R.O15 gives effect to higher order planning documents.

254. Specifically, Objective R.O15 gives effect to NPS-FM Objective A1, and A2 is given effect to by proposed Objective R.O15 by safeguarding the life supporting capacity of fresh water, and safeguarding the health of people and communities when in contact with fresh water. The overall quality of fresh water within FMUs will be maintained or improved thereby protecting any significance values of fresh water bodies, wetlands and fresh water bodies that have been degraded by human activity. The quality of water will be more suitable for primary contact more often.

255. The Ruamāhanga whaitua process that led to the development and publication of the Ruamāhanga WIP gives effect to NPS-FM, specifically Objective CA, Policies CA1 to CA4 (National Objectives Framework) by establishment of values, freshwater objectives and limits for freshwater management units that is nationally consistent and recognises regional and local circumstances[43].

256. Proposed Objective R.O15 gives effect to RPS Objective 12 by improving sediment discharges in the Ruamāhanga whaitua over time of the objective, thereby ensuring the quality of fresh water meets the range of values for which water is required, and the life supporting capacity is safeguarded, and meets the needs of future generations. RPS Policies 14 and 15 require that regional plans include policies,

[42] Ruamāhanga WIP, page 28
[43] Ruamāhanga WIP, page 30

rules and methods so that sediment is minimised from land use activities and discharges from the stormwater network.

Feasibility

257. Proposed Objective R.O15 is to be achieved by 2050. This means there is certainty around the type of progression that is envisaged, which is, a reasonable rate of change and improvement over a long period of time. This is acceptable to the community and land owners tasked with making land use changes to mitigate sediment discharges into water bodies.

258. Proposed Objective R.O15 isolates 5 at risk FMU's that generate the greatest sediment loads, where further policy approaches and incentives will be required to achieve the objective by 2050. These policy approaches are outlined in Part B below.

259. Proposed Objective R.O15 is realistically able to be achieved with Council's powers, skills and resources. Council has been implementing and assisting with soil erosion mitigation practices for over 60 years, including pole plantings to stem slip and slumps on farmland and development of farm plans with land managers to mitigate future soil erosion potential on farmland. Further, the regulatory planning documents of Council, including the RPS and the regional plans, have continued to focus on addressing the issue of soil erosion in the region generally, and more specifically in the eastern Wairarapa hill country. The planning provisions are in the form of regional rules and plan methods to assist land managers with the mitigation of soil erosion. Additional methods that will be implemented to achieve Objective R.O15 and will build on these provisions and established Council practices.

260. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua, including significant reductions in sediment loads to rivers, streams and lakes.

Acceptability

261. In developing fresh water objectives for the Ruamāhanga whaitua the main approach has been to use fresh water quality attributes to set objectives for change, understand what the current is, how water is cared and valued, and an understanding of the mitigation practices that have impacts on a range of values[44]. The objectives are delivered on a broad set of policy levers that are described in Section B of this report.

262. The proposed Plan has a set of provisions to address sediment entering water bodies. These provisions will work alongside a new set of more specific provisions to address sediment in the Ruamāhanga whaitua. To meet proposed Objective R.O15, further innovation and new ways of working are needed to meet the target of 30% reduction in sediment across the whaitua. To improve water quality in rivers and streams, in particular the receiving environment of the two lakes – Lake Wairarapa

[44] Sediment options for the Ruamāhanga whaitua p4. (2017)

and Lake Ōnoke - means introducing a new set of methods and provisions to limit sediment into water bodies is required

263. The Ruamāhanga committee has canvased the outcome of reducing sediment from the Top 5 sediment producing FMU's in consultation with iwi and the community and with reductions across the entire catchment as stated in Table X. As such, there is a degree of acceptance in the community that over the time period proposed, these changes are possible.

264. In Section B of this report the methods to achieve this objective are explained.

Objective R.016: E. coli

E. coli concentrations are maintained or improved in surface water bodies across each of the FMU's within the Ruamāhanga Whaitua to meet the numeric freshwater objectives set out within table XX (for streams rivers) and table xx (for lakes).

Relevance

265. Objective R.O16: E. coli is relevant to address the following issues:

- Issue 7 - Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places.
- Issue 9 - Wairarapa Moana (Lake Wairarapa, including its wetland margins and connecting waterways) and Lake Ōnoke are in very poor health and water quality fails to meet national bottom lines.

266. Objective R.O16: E. coli has been drafted in accordance with the Ruamāhanga Whaitua's recommendation to maintain or improve the current state of E. coli across the Ruamāhanga Whaitua as set out in:

- Table 8: Numeric freshwater objectives for river freshwater management units: E. coli[45]; and
- Table 11: Numeric freshwater objectives for lake freshwater management units for NOF attributes: E. coli, total nitrogen and total phosphorus[46].

267. Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are the relevant iwi authorities for the Ruamāhanga Whaitua. The marae of Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa are located in the catchment.

268. Objective R.O16: E. coli gives effect to a number of matters in part 2 of the RMA and most specifically to sections 5(2)(b) and 7(d), which are to manage natural resources while safeguarding the life-supporting capacity of air, water, soil, and ecosystems, and having particular regard to the intrinsic values of ecosystems.

[45] RWIP, Table 8: Numeric freshwater objectives for river and lake FMU's in the Ruamāhanga Whaitua, page 130 and 131

[46] RWIP, Table 11: Table 11: Numeric freshwater objectives for lake freshwater management units for NOF attributes: E. coli, total nitrogen and total phosphorus, page 136

269. Objective R.O16: E. coli gives effect to the following objectives of the NPS-FM 2014:

- Objective A1 which is focused on safeguarding the:
  - life supporting capacity, ecosystem processes and indigenous species of fresh water; and
  - health of people and communities, as affected by contact with fresh water.
- Objective A2 which is to maintain or improve the overall quality of fresh water within a freshwater management unit.
- Objective A3 which is that the quality of water in a freshwater management unit is improved so that it is suitable for primary contact more often.

270. 6. Objective R.O16: E. coli gives effect to the following objectives of the RPS:

- Objective 12 which is that water quantity and quality meets the range of uses and values for which water is required, the life supporting capacity of waterbodies is safeguarded and the reasonably foreseeable needs of future generations are met.
- Objective 13 which is that the regions rivers, lakes and wetlands support healthy functioning ecosystems.

Feasible

271. Objective R.O16: E. coli is within Council functions under:

- Sections 30(1)(c)(ii) and 30(1)(c)(iiia) of the RMA which to control the use of land for the purpose of the maintenance and enhancement of the quality of water in water bodies and coastal water and the maintenance and enhancement of ecosystems in water bodies and coastal water; and
- Section 30(1)(f) of the RMA which is to control the discharges of contaminants into or onto land, air, or water and discharges of water into water.

272. There is sufficient time to meet the requirements of Objective R.O16: E. coli through the relevant mitigations in the supporting policies and methods given that limits are required to be achieved no later than 2040 (where an improvement is required within timeframes). Accordingly, the objective is feasible and the risk of not being able to meet the limits set out in Objective R.O13: E. coli is low.

273. It should also be noted that Council is currently working alongside the community and industry bodies to implement the requirements of the proposed Plan. Therefore, catchment communities working together to meet the requirements of Variation 1 (such as to maintain and improve the current state of E. coli across the Ruamāhanga Whaitua) will be a key mechanism to give effect to the NPS-FM and is therefore feasible.

Acceptability

274. Recreation has been identified as a value by the whaitua committee[47]. Objective R.O16: E. coli is therefore consistent with iwi and community values identified by the Ruamāhanga Whaitua Committee and is therefore an acceptable objective for iwi and the community. Further to that, the direction of the Objective R.O16: E. coli has also been developed in partnership with the Ruamāhanga Whaitua Committee.

275. The key difference between Objective R.O16: E. coli and Objective O24 (in regards to water quality) in the proposed Plan, is that:

- Objective R.O16: E. coli sets out limits for E. coli within each of the FMU's (which includes Lake Onoke and Lake Wairarapa) across the Ruamāhanga Whaitua. The limits seek to maintain or improve the current state for E. coli across the FMU; to be consistent with Objective A2 of the NPS-FM. For example, current state for E. coli in some FMU's, such as the Wainaga River, is A Band and therefore the requirement would be to maintain that current state. However, the current state for E. coli in other FMU's, such as Parkvale Stream, is below a national bottom line (E band) and is required to improve to a C Band; whereas

- Objective O24 in the proposed Plan sets out limits for E. coli in rivers, lakes, open coasts and harbours more generally across the Wellington Region.

276. Given Objective R.O16: E. coli is more specific to the Ruamāhanga Whaitua (than Objective O24 in the proposed Plan), it is therefore more relevant to and acceptable for the Ruamāhanga Whaitua.

277. Further, Objective R.O16: E. coli gives effect to the NPS-FM 2014 (as amended by the National Policy Statement for Freshwater Amendment Order 2017), whereas Objective O24 in the proposed Plan gives effect to the now superseded version of NPS-FM 2014.

278. The mitigations to achieve Objective R.O16: E. coli are likely to put additional financial and time costs on individual farmers and the community as a whole. For example, the requirement to maintain and improve the current state of E. coli across the Ruamāhanga Whaitua requires different tiers of mitigations to meet the community set objective across each of the indicator sites. However, as discussed above in regards to feasibility, the timeframes to meet the limits within Objective R.O13: E. coli must be achieved no later than 2040.

279. Staggering the timeframes out to 2040 to meet Objective O16: E. coli means that the implementation of farm mitigations (and any associated costs) to achieve the objectives can be extended out over a number of years. As a result, the overall costs will not be unjustifiably high for the relevant landowners and communities and are considered to acceptable compared to the environmental, social and cultural costs of not achieving Objective O16: E. coli.

Objective R.O17: Nitrate-Nitrogen

[47] RWIP, Ruamāhanga Whaitua Community Values, page 16

*Nitrate-nitrogen is reduced in **surface water bodies**, lakes and **natural wetlands** in accordance with the targets identified in Table X for the Ruamāhanga Freshwater Management Units by 2040.*

Relevance

280. Discharges of nitrate-nitrogen (NO3-N) into water bodies has been identified as a water quality issue for the Ruamāhanga whaitua (see Issue 7, 8, and 9 of this s32 report).

281. Nitrate-nitrogen is generally derived from discharges of stock effluent and from point source discharges such as waste water treatment plants (WWTPs).

282. Nitrate-nitrogen (NO3-N) has concentration limits defined in the NPS-FM (2017).

283. The NPS-FM sets out the attribute states (bands) based on the medium and maximum annual concentrations with the bands ranging from A (excellent) to D (below the national bottom line)[48].

284. Table X describes the Nitrate-nitrogen toxicity limits and targets to be reached by 2040 for each FMU in the Ruamāhanga whaitua.

285. In the Ruamāhanga catchment, NO3-N is considered healthy with all reporting sites simulating A or B bands in the baseline model. The sites recording B band are Waipoua River at Colombo Rd Bridge, Parkvale Stream at Renells Weir, Otukura Stream, and Mangatarere River at State Highway 2[49]. To achieve the shift in current state (from B bands to A band) as required by Table X is set out in more detail in Section B below.

286. Reducing nitrate-nitrogen in the Ruamāhanga whaitua as proposed in Objective R.O17 gives effect to the purpose of the RMA s5(2)(b) by safeguarding the life supporting capacity of water and soil through the proposed reductions in nitrate-nitrogen reaching water bodies from discharges of stock effluent and WWTP's.

287. Proposed Objective R.O17 gives effect to RMA s7(c) and (f) by improving the amenity values of rivers, stream and lakes and increasing their recreational potential and enhancing the in-stream environment of water bodies.

288. Objective R.O17 is within Councils powers as a function of regional councils in RMA s30(1)(c)(ii) and (iiia) is to control of land for the maintenance and enhancement of the quality of water in water bodies and coastal water.

289. Specifically, Objective R.O17 gives effect to NPS-FM Objective A1 and A2 by safeguarding the life supporting capacity of fresh water, and safeguarding the health of people and communities when in contact with fresh water. The overall quality of fresh water with the FMUs will be maintained or improved thereby protecting any significance values of freshwater bodies, wetlands and fresh water bodies that have been degraded by human activity. The quality of water will be more suitable for primary contact more often.

[48] Factsheet for ammoniacal-nitrogen for the RWP, Jacobs (2017)
[49] Factsheet for ammoniacal-nitrogen for the RWP, Jacobs (2017)

290. The Ruamāhanga whaitua process that led to the development and publication of the Ruamāhanga WIP gives effect to NPS-FM, Objective CA, Policies CA1 to CA4 (National Objectives Framework) by establishment of values for fresh water that is nationally consistent and recognises regional and local circumstances[50].

291. Proposed Objective R.O17 gives effect to RSP Objective 12 (the quantity and quality of fresh water meets the range of uses and values for which water is required, and the life supporting capacity is safeguarded, and meets the needs of future generations).

292. RPS Policies 12 and 16 requires that regional plans include policies and rules and methods to ensure that discharges of effluent from stock and point source discharges is managed to safeguard aquatic ecosystem heath, and discharges of effluent are promoted to land.

Feasibility

293. Proposed Objective R.O17 is to be achieved by 2040.

294. This means there is certainty around the type of progression that is envisaged, which is, a reasonable rate of change and improvement over a long period of time. This is acceptable to the community and land owners tasked with making changes to mitigate discharges of ammoniacal-nitrogen into water bodies.

295. Proposed Objective R.O17 is realistically able to be achieved with Council's powers, skills and resources.

296. The regulatory planning documents of Council, including the RPS and the regional plans, focus on addressing point source discharges generally, and more specifically for WWTP's. The planning provisions are in the form of regional rules and plan methods. Additional methods that will be implemented to achieve Objective R.O17 and will build on these provisions and established Council practices.

297. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua, including significant reductions in sediment loads to rivers, streams and lakes.

Acceptability

298. In developing fresh water objectives for the Ruamāhanga whaitua the main approach has been to use fresh water quality attributes to set objectives for change, understand what the current is, how water is cared and valued, and an understanding of the mitigation practices that have impacts on a range of values[51]. The objectives are delivered on a broad set of policy levers that are described in Section B of this report.

299. The Ruamāhanga committee in consultation with the community has recommended that a non-allocative approach is the preferred option for the discharge limit for

[50] Ruamāhanga WIP

[51] Sediment options for the Ruamāhanga whaitua p4. (2017)

nutrients and sediment. The Committee's conclusion is the allocative approach at the property scale is too onerous, and have recommended a non-allocative approach to reduce nutrients.

300. The Committee is also of the view that to achieve the non-allocative approach for nutrient discharges will mean the community needs to be empowered to work together and to innovate to make their own changes, rather than rely on regulation. The Committee considered that a regulatory approach encourage landowners to do the minimum to meet limits, rather than change practices to meet community objectives for local water quality within FMUs[52].

301. The proposed Plan has a set of provisions to address discharges from point sources entering water bodies. These provisions will work alongside a new set of more specific provisions to address ammoniacal-nitrogen in the Ruamāhanga whaitua. To meet proposed Objective R.O17, further innovation and new ways of working are needed to meet the targets in Table X. To improve water quality in rivers and streams, in particular the receiving environment of the two lakes – Lake Wairarapa and Lake Ōnoke - means introducing a new set of methods and provisions to reduce ammoniacal-nitrogen into water bodies is required

302. In Section B of this report the methods to achieve this objective are explained.

Objective R.O18: Ammoniacal-Nitrogen

*Ammoniacal-nitrogen is reduced in **surface water bodies**, lakes and **natural wetlands** in accordance with the targets identified in Table X for the Ruamāhanga Freshwater Management Units by 2040.*

Relevance

303. Discharges of ammoniacal-nitrogen (NH4-N) into water bodies has been identified as a water quality issue for the Ruamāhanga whaitua (see Issue 7, 8, and 9 of this s32 report).

304. Ammoniacal-nitrogen is generally derived from stock effluent and point source discharges from waste water treatment plants (WWTPs).

305. Ammoniacal-nitrogen (NH4-N) has concentration limits defined in the NPS-FM (2017).

306. The NPS-FM sets out the attribute states (bands) based on the medium and maximum annual concentrations with the bands ranging from A (excellent) to D (below the national bottom line)[53].

307. Proposed Objective R.O18 set the long term targets in Table X for reductions in ammoniacal-nitrogen toxicity to be reached by 2040 for each FMU in the Ruamāhanga whaitua.

308. In the Ruamāhanga catchment, NH4-N is considered healthy with all reporting sites simulating A or B bands in the baseline model. The sites recording B band are

[52] Ruamāhanga WIP, page 77

[53] Factsheet for ammoniacal-nitrogen for the RWP, Jacobs (2017)

Ruamāhanga at Gladstone Bridge, Ruamāhanga at Waihenga Bridge, Ruamāhanga at Wardells, Parkvale Stream at Renells Weir, Otukura Stream, and Mangatarere River at State Highway 2[54]. To achieve the shift in current state (from B band to A band) as required by Table X is set out in more detail in Section B below.

309. Reducing ammoniacal-nitrogen in the Ruamāhanga whaitua as proposed in Objective R.O18 gives effect to the purpose of the RMA s5(2)(b) by safeguarding the life supporting capacity of water and soil through the proposed reductions in ammoniacal-nitrogen reaching water bodies from discharges of stock effluent and WWTP's.

310. Proposed Objective R.O18 gives effect to RMA s7(c) and (f) by improving the amenity values of rivers, stream and lakes and increasing their recreational potential and enhancing the in-stream environment of water bodies.

311. Objective R.O18 is within Councils powers as a function of regional councils in RMA s30(1)(c)(ii) and (iiia) is to control of land for the maintenance and enhancement of the quality of water in water bodies and coastal water.

312. Specifically, Objective R.O18 gives effect to NPS-FM Objective A1 and A2 by safeguarding the life supporting capacity of fresh water, and safeguarding the health of people and communities when in contact with fresh water. The overall quality of fresh water with the FMUs will be maintained or improved thereby protecting any significance values of freshwater bodies, wetlands and fresh water bodies that have been degraded by human activity. The quality of water will be more suitable for primary contact more often.

313. The Ruamāhanga whaitua process that led to the development and publication of the Ruamāhanga WIP gives effect to NPS-FM, Objective CA, Policies CA1 to CA4 (National Objectives Framework) by establishment of values for fresh water that is nationally consistent and recognises regional and local circumstances[55].

314. Proposed Objective R.O18 gives effect to RSP Objective 12 (the quantity and quality of fresh water meets the range of uses and values for which water is required, and the life supporting capacity is safeguarded, and meets the needs of future generations).

315. RPS Policies 12 and 16 requires that regional plans include policies and rules and methods to ensure that discharges of effluent from stock and point source discharges is managed to safeguard aquatic ecosystem heath, and discharges of effluent are promoted to land.

Feasibility

316. Proposed Objective R.O18 is to be achieved by 2040.

317. This means there is certainty around the type of progression that is envisaged, which is, a reasonable rate of change and improvement over a long period of time. This is acceptable to the community and land owners tasked with making changes to mitigate discharges of ammoniacal-nitrogen into water bodies.

[54] Factsheet for ammoniacal-nitrogen for the RWP, Jacobs (2017)

[55] Ruamāhanga WIP

318. Proposed Objective R.O18 is realistically able to be achieved with Council's powers, skills and resources.

319. The regulatory planning documents of Council, including the RPS and the regional plans, focus on addressing point source discharges generally, and more specifically for WWTP's. The planning provisions are in the form of regional rules and plan methods. Additional methods that will be implemented to achieve Objective R.O18 and will build on these provisions and established Council practices.

320. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua, including significant reductions in sediment loads to rivers, streams and lakes.

Acceptability

321. In developing fresh water objectives for the Ruamāhanga whaitua the main approach has been to use fresh water quality attributes to set objectives for change, understand what the current is, how water is cared and valued, and an understanding of the mitigation practices that have impacts on a range of values[56]. The objectives are delivered on a broad set of policy levers that are described in Section B of this report.

322. The Ruamāhanga committee in consultation with the community has recommended that a non-allocative approach is the preferred option for the discharge limit for nutrients and sediment. The Committee's conclusion is the allocative approach at the property scale is too onerous, and have recommended a non-allocative approach to reduce nutrients.

323. The Committee is also of the view that to achieve the non-allocative approach for nutrient discharges will mean the community needs to be empowered to work together and to innovate to make their own changes, rather than rely on regulation. The Committee considered that a regulatory approach encourage landowners to do the minimum to meet limits, rather than change practices to meet community objectives for local water quality within FMUs[57].

324. The proposed Plan has a set of provisions to address discharges from point sources entering water bodies. These provisions will work alongside a new set of more specific provisions to address ammoniacal-nitrogen in the Ruamāhanga whaitua. To meet proposed Objective R.O18, further innovation and new ways of working are needed to meet the targets in Table X. To improve water quality in rivers and streams, in particular the receiving environment of the two lakes – Lake Wairarapa and Lake Ōnoke - means introducing a new set of methods and provisions to reduce ammoniacal-nitrogen into water bodies is required

325. In Section B of this report the methods to achieve this objective are explained.

[56] Sediment options for the Ruamāhanga whaitua p4. (2017)
[57] Ruamāhanga WIP, page 77

Objective R.O19: Macroinvertebrate community health and periphyton

Macroinvertebrate community index and periphyton are maintained or improved to meet, as a minimum, the numeric freshwater objectives set by Table xx.

Relevance

326. Objective R.O19 (Macroinvertebrate community health and periphyton) is relevant to the follow issues:

- Issue 7 (Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places); and
- Issue 8 (Stream bank, lake bank, and hill slope erosion is resulting in high sediment loads entering waterbodies in the Ruamahanga degrading water quality and adversely affecting ecosystem health).

327. Objective R.O10 (Macroinvertebrate community health and periphyton) is focused on achieving a number of Part 2 RMA matters and most specifically:

- Section 6(a), which requires that the Council recognises and provides for 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; and
- Section 6(c), which requires that the Council recognises and provides for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
- Section 7(d),which requires that the Council has particular regard to the intrinsic values of ecosystems; and
- Section 7(f), which requires that the Council has particular regard to maintenance and enhancement of the quality of the environment.

328. The objective gives effect to the following objectives of the NPS-FM 2014:

- Objective A1 which is to safeguard the life-supporting capacity, ecosystem processes and indigenous species, including their associated ecosystems, of freshwater.
- Objective A2, which is to maintain or improve freshwater quality while protecting significant bodies.

329. Objective R.O19 (Macroinvertebrate community health and periphyton) gives effect to the following objective of the RPS:

- Objective 12, which focuses on water meeting the range of uses and values which is required, safeguarding the life-supporting capacity of waterbodies, and meeting the reasonably foreseeable needs of future generations.

- Objective 13, which focuses on the region's rivers, lakes, and wetlands being able to support healthy functioning ecosystems.

- Objective 16, which aims for indigenous ecosystems and habitats with biodiversity values to be maintained and restored to a healthy functioning state.

330. Objective R.O19 (Macroinvertebrate community health and periphyton) also gives effect to the following policies of the RPS:

- Policy 23, which focuses on identifying indigenous ecosystems and habitats with biodiversity values.

- Policy 47, which focuses on managing effects on indigenous ecosystems and habitats with significant biodiversity issues when preparing and considering a plan change or variation.

Feasibility

331. Achieving improvements in MCI is difficult; such improvements will require improvements being made to environmental practices across the catchment to manage flows, reduce contaminant loads, and improve riparian condition. In particular, fine sediment loads will need to reduce significantly for MCI to improve. There will also need to be improvements in nitrates and phosphorus levels to restore periphyton levels.

332. As deposited fine sediment is largely caused by flood control operations, it is necessary to change the way such operations are carried out to ensure that fine sediment loads from these operations decrease. The Committee has recommended that in the future in-stream flood control activities are managed to minimise fine sediment and that the frequency of such operations is reduced over time. These recommendations will be given effect to by the policies and methods in this proposed plan change to achieve Objective R.O19.

333. The Committee provided a series of recommendations to improve MCI, including improvements in flood control practice. It is proposed recommendations will be implemented through the policies and methods in this proposed plan change to achieve Objective R.O19. Therefore it is likely that the objectives set for MCI in table x the catchment can be achieved.

334. The challenges are similar regarding periphyton. Modelling has indicated that there will need to be improvements in minimum flows, flushing flows, riparian management, water temperature, and photosynthetic radiation if periphyton levels are to decrease to the desired levels.

335. There are long time periods for these changes to be made and objectives to be achieved. The target dates have been set at 2040 or 2080 by the committee, providing more than two decades at least for these goals to be achieved.

336. The methods to achieve this objective are within the Council's power and resources. Flood control is conducted by the Council, which has the power to change flood control practice to help achieve this objective. Riparian management is also well within the Council's powers and resources, both from a regulatory perspective (the Natural Resources Plan) and a funding perspective (funding is to be allocated to assist in riparian planting).

Acceptability

337. There is one value identified by the Ruamahanga Whaitua Committee that relates to MCI and periphyton - Value 1: Te Mana o Ruamahanga (Mauri, Habitat, Biodiversity and Natural Character). The mana of the rivers, lakes and streams relates to the life-force of the water and this includes freshwater habitat and biodiversity as well as water quality. As MCI and periphyton are key components of both, improving MCI and periphyton is thus an important part of ensuring this value is protected.

338. Objective R.O19 thus helps provide certainty to the Ruamahanga communities that the NRP is consistent with iwi and community values as it will help to improve the mana of waterbodies and ecosystem health.

339. Objective R.O19 combines numeric objectives set by the whaitua committee for two attributes - MCI and periphyton. This has been done as the two attributes are very closely related. Not only will improving them require similar changes in land use and environmental practice, but also because the two are ecologically related – macroinvertebrates feed on periphyton. Combing the two into one objective is thus acceptable to the community and is also more efficient for plan users.

340. This objective was set by the whaitua committee on behalf of the communities they represent. The whaitua process involved considerable engagement with affected communities and the objectives recommended by the committee were drafted with the concerns of communities in mind.

Objective R.O20: Lake Wairarapa and Lake Ōnoke NOF attributes

Phytoplankton, total nitrogen and total phosphorous are reduced in Lake Wairarapa and Lake Ōnoke in accordance with the targets identified in Table X for the Ruamāhanga Freshwater Management Units by 2080.

Relevance

341. Lake Wairarapa and Lake Ōnoke have been identified as an issue for the Ruamāhanga whaitua (see Issue 1, 2, 3, 7, 8, 9, 10, and 11 of this s32 report).

342. Lake Wairarapa does not meet the NPS-FM NOF bottoms lines for phytoplankton, total phosphorous and is classified as supertrophic.

343. Lake Ōnoke meets the NOF bottom lines for phytoplankton, total nitrogen and total phosphorous. The Committee recommends that total nitrogen moves to the B band (currently C band) and all other NOF bands are maintained.

344. Lake Wairarapa including its surrounding wetlands and connecting waterways is valued for its community and mana whenua values, including mahinga kai, fish populations, and bird habitats.

345. Lake Wairarapa is recognised under a Water Conservation Order and through the Treaty of Waitangi settlements with Ngāti Kahungunu ki Wairarapa and Rangitāne ō Wairarapa[58].

346. Lake Wairarapa is large shallow lake, and subject to sediment re-suspension in high winds. A key attribute for the lake is a reduction in sediment and phosphorous deposited from the catchment upstream.

347. Modelling of Lake Wairarapa on in-lake methods (i.e., include maintaining a higher lake level, or establishing macrophytes on the bed) show promising results other than specifically reducing the catchment load of sediment.

348. Lake Ōnoke is a significant lake ecosystem. It has significant recreational values, mana whenua values, and important for migratory fish. Modelling has shown that nutrient levels can be improved and maintained, however the health of Lake Ōnoke is limited by the health of Lake Wairarapa.

349. Reducing phytoplankton, total nitrogen and total phosphorous in Lake Wairarapa and Lake Ōnoke as proposed in Objective R.O20 gives effect to the purpose of the RMA s5(2)(b) by safeguarding the life supporting capacity of water and soil through the proposed reductions in these NOF attributes from the upstream catchment.

350. Proposed Objective R.O20 gives effect to RMA s7(c) and (f) by improving the amenity values of rivers, stream and lakes and increasing their recreational potential and enhancing the in-stream environment of water bodies.

351. Objective R.O20 is within Councils powers as a function of regional councils. RMA s30(1)(c)(ii) and (iiia) allows Council to control of land for the maintenance and enhancement of the quality of water in water bodies and coastal water.

352. Specifically, Objective R.O20 gives effect to NPS-FM Objectives A1 and A2 by safeguarding the life supporting capacity of fresh water, and safeguarding the health of people and communities when in contact with fresh water. The overall quality of fresh water within FMUs will be maintained or improved thereby protecting any significance values of freshwater bodies, wetlands and fresh water bodies that have been degraded by human activity. The quality of water will be more suitable for primary contact more often.

353. The Ruamāhanga whaitua process that led to the development and publication of the Ruamāhanga WIP gives effect to NPS-FM, Objective CA, Policies CA1 to CA4 (National Objectives Framework) by establishment of values for fresh water that is nationally consistent and recognises regional and local circumstances[59].

354. Proposed Objective R.O20 gives effect to RSP Objective 12 (the quantity and quality of fresh water meets the range of uses and values for which water is required, and the life supporting capacity is safeguarded, and meets the needs of future generations).

[58] Ruamāhanga WIP, page 39
[59] Ruamāhanga WIP

355. RPS Policies 12 and 16 requires that regional plans include policies and rules and methods to ensure that discharges of effluent from stock and point source discharges is managed to safeguard aquatic ecosystem heath, and discharges of effluent are promoted to land.

Feasibility

356. Proposed Objective R.O20 is to be achieved by 2080.

357. This means there is certainty around the type of progression that is envisaged, which is, a reasonable rate of change and improvement over a long period of time (to 2080 for the lakes). This is acceptable to the community and land owners tasked with making changes to reduce inputs of nitrogen and sediment (phosphorous) to mitigate effects of the lakes ecosystems.

358. Proposed Objective R.O20 is realistically able to be achieved with Council's powers, skills and resources.

359. The regulatory planning documents of Council, including the RPS and the regional plans, focus on addressing sources of nutrients more generally, and more specifically for point source discharges.

360. The planning provisions are in the form of regional rules and plan methods. Additional methods that will be implemented to achieve Objective R.O20 and will build on these provisions and established Council practices.

361. More recently, Council has undertaken a whole of Council approach to its work with the formation of internal working groups to improve Council's service and delivery functions for land management and water quality enhancements and improvements. These internal groups are working towards the outcomes for the Ruamāhanga whaitua, including significant reductions in sediment loads to rivers, streams to improve the condition of Lake Wairarapa and Lake Ōnoke.

Acceptability

362. In developing fresh water objectives for the Ruamāhanga whaitua the main approach has been to use fresh water quality attributes to set objectives for change, understand what the current is, how water is cared and valued, and an understanding of the mitigation practices that have impacts on a range of values[60]. The objectives are delivered on a broad set of policy levers that are described in Section B of this report.

363. The Ruamāhanga committee in consultation with the community has recommended that a non-allocative approach is the preferred option for the discharge limit for nutrients and sediment. The Committee's conclusion is the allocative approach at the property scale is too onerous, and have recommended a non-allocative approach to reduce nutrients.

364. The Committee is also of the view that to achieve the non-allocative approach for nutrient discharges will mean the community needs to be empowered to work together and to innovate to make their own changes, rather than rely on regulation.

[60] Sediment options for the Ruamāhanga whaitua p4. (2017)

The Committee considered that a regulatory approach encourage landowners to do the minimum to meet limits, rather than change practices to meet community objectives for local water quality within FMUs[61].

365. The proposed Plan has a set of provisions to address discharges from point sources entering water bodies. These provisions will work alongside a new set of more specific provisions to address ammoniacal-nitrogen in the Ruamāhanga whaitua. To meet proposed Objective R.O20, further innovation and new ways of working are needed to meet the targets in Table X.

366. To improve water quality in the two lakes – Lake Wairarapa and Lake Ōnoke - means introducing a new set of methods to reduce a phytoplankton, total nitrogen and total phosphorous into water bodies is required

367. In Section B of this report the methods to achieve this objective are explained.

Objective R.O21: Lake non-NOF attributes

*The trophic index level and macrophyte levels in **Wairarapa moana** will be improved to meet the numeric objectives set by table xx.*

Relevance

368. Objective R.O21 (Lake non-NOF attributes) is relevant to:

- Issue 7 (Water quality is poor in many water bodies across the whaitua and fails to meet national bottom lines and community expectations for swimmability in some places); and
- Issue 8 (Stream bank, lake bank, and hill slope erosion is resulting in high sediment loads entering waterbodies in the Ruamahanga degrading water quality and adversely affecting ecosystem health).

369. Issue 9 (Wairarapa Moana (Lake Wairarapa, including its wetland margins and connecting waterways) and Like Onoke are in very poor health and water quality fails to meet national bottom lines.

370. Objective R.O21 (Lake non-NOF attributes) is focused on achieving a number of Part 2 RMA matters and most specifically:

- Section 6(a), which requires that the Council recognises and provides for 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; and
- Section 6(c), which requires that the Council recognises and provides for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
- Section 7(d),which requires that the Council has particular regard to the intrinsic values of ecosystems; and

[61] Ruamāhanga WIP, page 77

- Section 7(f), which requires that the Council has particular regard to maintenance and enhancement of the quality of the environment.

371. The objective gives effect to the following objectives of the NPS-FM 2017:

- Objective A1, which concerns safeguarding the life-supporting capacity, ecosystem processes and indigenous species associated ecosystems of freshwater.
- Objective A2, which concerns maintaining or improving freshwater quality while protecting significant bodies.

372. Objective R.O21 (Lake non-NOF attributes) gives effect to the following objectives of the RPS:

- Objective 12, which focuses on water meeting the range of uses and values which is required, safeguarding the life-supporting capacity of waterbodies, and meeting the reasonably foreseeable needs of future generations.
- Objective 13, which focuses on the region's rivers, lakes, and wetlands being able to support healthy functioning ecosystems.

373. Objective R.O21 (Lake non-NOF attributes) also gives effect to the following policies of the RPS:

- Policy 23, which focuses on identifying indigenous ecosystems and habitats with biodiversity values.
- Policy 47, which focuses on managing effects on indigenous ecosystems and habitats with significant biodiversity issues when preparing and considering a plan change or variation.

Feasibility

374. Achieving the improvements set by the objective will rely predominately on reducing the discharge of contaminants into lakes. The trophic level index improvements will rely on reductions of phosphorus, nitrate, and sediment into Wairarapa Moana. Much of this progress could be achieved using existing land management practices that are shown to be effective, but using these methods more widely region wide.

375. There is a long timeframe in which these improvements can be achieving – until 2040 for Lake Onoke and until 2080 for Lake Wairarapa. These long timeframes allow sufficient time for changes to land management and environmental practice to be made to reduce contaminant loads in the lakes.

376. Furthermore, the improvements that have been targeted are by no means excessively ambitious. For macrophyte levels, both lakes are currently classified as being in D band. The objective aims for an improvement to C band, an improvement of one band, rather than a much higher increase to a B or A band. Similarly, the objective aims for relatively modest improvements in trophic level, with Lake Onoke moving from eutrophic to ogliotrophic, and Lake Wairarapa moving from supertrophic to eutrophic. A eutrophic condition is still particularly health for a water body, but the

committee evidently considers this degree of improvement to be at the limits of practicality.

377. There are long time periods for these changes to be made and objectives to be achieved. The target dates have been set at 2040 or 2080 by the committee, providing more than two decades at least for these goals to be achieved.

Acceptability

378. This objective does not mention one of the three non-NOF attributes identified in the WIP: total suspended sediment. It is preferable to have sediment covered by a single objective rather than split across multiple objectives. It is assumed that the land management changes used to achieve the recommended sediment objective will also achieve the sediment goals targeted by the non-NOF table.

379. This objective was set by the whaitua committee on behalf of the communities they represent. The whaitua process involved considerable engagement with affected communities and the objectives recommended by the committee were drafted with the concerns of communities in mind.

380. This object is also unlikely to result in unjustifiably high costs for the community, as the main changes in environmental practice required are reducing runoff of sediment and nutrients (through riparian planting, for example). This requires a change in practice but not changes in activities and the current agricultural activities will be able to remain.

Attachment 3 to Report 19.194

Draft Policy Options

Topic	**Reasonably Practical Options – Review of Plan change/Variation 1**
Date	11 June 2019
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Paul Denton, Senior Policy Advisor, Environmental Policy**

Reasonably Practical Options – Review plan change 1

The following reasonably practical options were identified to achieve the Ruamāhanga whaitua freshwater objectives (Objectives RO.015 to RO.O21) associated with reviewing Plan change/Variation 1.

Option	Reasonably Practical Options	Description
1	No plan review or staging of Plan Change 1 for diffuse discharges (nutrient allocation).	Set policies, rules and methods that can achieve the objectives of Plan Change 1 (Ruamāhanga whaitua freshwater objectives) for diffuse discharges.
2	Review the diffuse discharge provisions for nitrogen, phosphorous, pathogens, and sediment before the 10 year review of Plan Change 1.	Review diffuse discharge provisions to establish trends in discharge limits/targets. Review whether tools to administer diffuse discharges are appropriate to meet the freshwater objectives.

Table 1: Review Plan change 1 for diffuse discharges in the Ruamāhanga catchment.

Option 1: No staging or plan review, diffuse discharge provisions are a complete package to achieve freshwater objectives

This option is the complete range of Plan change 1 provisions to achieve the freshwater objectives for the Ruamāhanga catchment. The provisions are a comprehensive means of achieving the objectives, and do not require review ahead of the mandatory RMA 10 year time frame.

Option 2: Review diffuse discharge provisions for future nutrient allocation[1]

This policy option implements Plan Change 1 as a 10 year program of work that is the first in a number of plan changes. Together with Plan Change 1, plan changes will achieve the overall 80 year water quality target.

The focus in on making a start at reducing nutrients, with preparatory work underway to inform future reductions in contaminants discharges in the future. This option has methods[2] that support gathering information for any future setting of property-level limits for discharges, by collecting reference information, which can be used to inform future decision making on how to manage the level of the individual discharge.

The future plan review does not set out the changes that will come into effect in future years, and can only indicate the preferred direction the proposed Plan is heading.

[1] Option 2 implements RWIP Recommendation No 46

[2] Based on RWIP recommendations

The aim is to signal to landowners an option of introducing a future allocation approach with property-scale limits based on the principles of land use suitability.

Preparing for future reductions can include seeking out new opportunities to undertake actions, such as those that support other outcomes in Plan change 1 including biodiversity that contribute to achieving the long term recommendations of the Ruamāhanga whaitua.

Topic	**Reasonably Practical Options – Diffuse Discharges**
Date	11 June 2019
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Paul Denton, Senior Policy Advisor, Environmental Policy**

Reasonably Practical Options – Diffuse Discharges

The following reasonably practical options were identified to achieve the Ruamāhanga whaitua freshwater objectives (Objectives RO.015, RO.O21) for diffuse discharges.

Option	Reasonably Practical Options	Description
1	Existing policies, rules and methods of the proposed Plan	Maintain the business-as-usual approach in the proposed Plan for the management of diffuse discharges.
2	Set property limits or standards for diffuse discharges of phosphorous, sediment and microbiological pathogens	Include a property-level limit for phosphorous, sediment and microbiological pathogens (e-coli).
3	Set property-level limit for nitrogen	Property-level limit for nitrogen through on-farm modelling programs, i.e., OVERSEER
4	Catchment-wide rules	Rely on rules that manage activities across the catchment to control diffuse discharges.
5[3]	Farm Environmental Plans, mandatory mitigations, provide for level of nitrogen discharges, control farms with high sediment discharges.	Control activities on-farm and require mitigations to reduce the effects from diffuse discharges on surface water bodies through Farm Environment Plans. Require landowners to determine and provide to Council the level of nitrogen discharged from their farms. Require farms with high sediment discharges to reduce.

Table 1: Reasonable practical options for the management of diffuse discharges in the Ruamāhanga catchment.

Overview notes on the options

Some common points to make about the options selected:

- Use of models such as OVERSEER are important as they act as a proxy for direct measurements
- Reducing contaminants at source is more efficient that downstream controls
- Policy instruments are only viable if there is some estimate of the contaminant leaving a property.

Option 1: Existing policies, rules and methods of the proposed Plan

This option means retaining the status quo with the proposed Plan, with no additional policies, rules or methods applied to the Ruamāhanga catchment. Existing rules and non-regulatory methods would remain in place and apply to the Ruamāhanga catchment. It is worth noting that the majority of non-regulatory methods have not been fully implemented in the Ruamāhanga catchment.

[3] Preferred option for diffuse discharges

In the proposed Plan diffuse discharges of nitrogen, phosphorous, pathogens and sediment are largely managed by non-regulatory methods such as providing information and on-farm advice with hill country erosion control plans. The regulatory practice of managing diffuse discharges have focused on a defined set of land management practices (by limiting certain activities), for example, disposal of effluent, stock access to water bodies, cultivation and break feeding. The proposed Plan also contains rules relating to activities in the beds of lakes and rivers, earthworks and other soil disturbance activities (e.g., vegetation clearance on erosion prone land).

The proposed Plan contains a water management classification system (objectives of the proposed Plan) that outlines the characteristics of water bodies in the region and their values. The classes and standards include in-stream periphyton, invertebrate, e-coli, and cyanobacteria measures that need to be met.

Option 2: Set property limits or standards for diffuse discharges of phosphorous, sediment and microbiological pathogens

This option aims to manage diffuse discharges from (phosphorous, e-coli, and sediment) individual properties through numeric targets that need to be met. This would be achieved by applying a property-scale limit on the amount of diffuse discharge leaving a property, or setting a standard in the water.

The variations of this option are; sediment and microbiological pathogens set at the property-level and phosphorous property limit set using OVERSEER or Olsen P.

Option 3: Property-level limit for nitrogen discharge loss

This option focuses on managing the diffuse discharge of nitrogen by placing a property-level numeric output and specifying a reduction target that landowners would have to meet on all properties. This option has three possible variations.

The first variation is a regulation or rule that sets a standard or limit to be met by the landowner. This requires reducing existing nitrogen leaching in order to achieve the sub-catchment or catchment load reduction target or limit. The individual reductions would be aggregated across the catchment.

The second variation is similar to the first, however there is a difference in the level of nitrogen reduction required for lower leaching properties.

The third variation to this option is to model property-level output of nitrogen and require reductions in nitrogen discharges across all properties with trading or transfers allowed between landowners.

In all three variations landowners have the flexibility to choose the activities or mitigations they undertake in order to meet the property-level limit. The actions would need to be accounted for in OVERSEER or other means specified in the catchment rules.

Option 4: Catchment wide rules

This option would rely on catchment specific rules for specific activities to manage diffuse discharges. The rules would apply thresholds that apply to all farming activities in the Ruamāhanga catchment, with the intent of managing activities that increase discharges, and disturb land and waterways through a series of permitted activity rules or by requiring a resource consent.

Option 5: Farm Environmental Plans, catchment wide rules, provide for level of nitrogen discharges, control farms with high sediment discharges

There are six parts of this option to control diffuse discharges from land uses across the Ruamāhanga whaitua

1. **Existing proposed Plan policies, rules and methods**. This part of the option retains the existing proposed Plan policies, rules and methods but are supplemented with additional provisions to meet the freshwater objectives of the Ruamāhanga whaitua.
2. **Additional or changes to catchment wide rules[4] to reduce nitrogen, phosphorous and sediment** (e.g., stock exclusion, earthworks, vegetation clearance, activities in the beds of lakes and rivers (wetlands)) would be managed through more stringent permitted activity conditions or requiring a resource consent.
3. **Controls that require a Farm Environmental Plan**. This part would manage the use of, and discharges from, land through property-specific farms plans. For nitrogen, phosphorous, sediment and pathogens actions would be specified in the Farm Environmental Plan following a risk assessment process focused on reducing discharges and developing actions and timeframes for completion. The degree of reduction required would be proportional to the level of current discharge and the scale of water quality improvement required for that each Fresh water Management Unit (FMU). Farm Environmental Plans would be mandatory for the 'top five' sediment producing catchments of Taueru, Huangarua, Eastern hill streams, Whangaehu, and Kopuaranga. The 'top five' FMU's would also require further higher level catchment planning to reduce sediment from land uses.
4. **Other options to reduce diffuse discharges** (incorporated into other policy topics). These include Good Management Practice (GMP), riparian management, regulation of land use change, and promotion of catchment communities as mechanisms for meeting water quality targets and freshwater objectives.
5. **Nitrogen reference point[5]**.This option requires landowners to determine, and provide to Council, the level of nitrogen leaching from their property or farm. This will record (and fix) the amount of nitrogen leaching from properties at the time of Plan Change 1 notification. This level may need to be reduced or held depending upon the water quality limit in the respective FMU. The reference point would be established during the Farm Environmental Plan process.

[4] Further details in the policy topics on land use rules and restricting land use change

[5] Part of the Plan change 1 review topic

Topic	**Reasonably Practical Options – Land use intensification**
Date	11 June 2019
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Richard Sheild, Policy Advisor, Environmental Policy**

Recommendation 53

Greater Wellington provides a new rule for land use changes where a new land use results in an increase in contaminant load as a discretionary activity in the PNRP. A land use change that results in a decrease in contaminant load shall be a permitted activity.

The whaitua committee has recommended that new rules are introduced into the Natural Resources Plan to address changing land uses that raise or lower contaminant loads in Ruamāhanga catchment freshwater management units. These options have been structured as three distinct packages.

The overall intent of this recommendation is to 'hold the line'. The whaitua committee has set targets for water quality improvements, and it has been established that intensive land uses often generate higher contaminant discharges. It is thus imperative that land use change is regulated to minimise any new contaminant discharges, which aims to ensure that work to reduce contaminant loads is not negated. It is important to note that the intention of this recommendation is not to reduce contaminant loads or improve water quality by itself – rather, it is intended to be one part of a suite of contaminant reduction policies.

More specifically, this recommendation is aimed at preventing increases in contaminant loads while other measures to reduce contaminant loads are implemented and take effect. Failing to control causes of increasing contaminant loads while implementing policies and methods to reduce those same contaminant loads would essentially result in each being cancelled out. It would be very easy for a situation to arise where existing contaminant discharges are reduced through improving practice, but are cancelled out by more contaminant discharges resulting from wider intensification or land use change.

Some kind of regulation of land use change is thus necessary to ensure contaminant loads do not increase. There are three options identified for this, explored below. Option One is simply business as usual, using the existing PNRP framework. Option Two focuses on inserting new rules that control land use change. Option Three would eschew direct regulation of land use change, instead focussing on controlling an established proxy (nitrogen loss).

OPTION ONE: Business as usual

The first option is to continue with business as usual. The PNRP in its current form does not regulate land use change. Currently, the only controls on land use change in the Ruamāhanga catchment are economic ones – those driven by the market. If it is economically viable to buy, convert, or intensify land, then a property owner is likely to do so. The inverse is also true. So in essence, the current regime separates the conversion of land use from its environmental impacts by tacitly restricting land use changes to be based almost entirely on economic considerations. Under the current regime, the only significant environmental limitation to intensification of land use and any resulting increases in contaminant discharges is the availability of water resources to support intensification.

A business as usual approach is potentially problematic, as this would fail to address the issue of conversion of rural land for uses that increase contaminant loads. Emerging central government

policy may also require new initiatives to either cap or prevent increases in contaminant loads. Land use change is unregulated in the Ruamāhanga catchment, and as noted previously, some more intensive land uses can lead to higher contaminant loads. This has the potential to significantly handicap or even entirely thwart attempts to improve water quality in the catchment.

Not controlling land use as part of the package of Ruamāhanga catchment plan changes could result in continuing shifts to more intensive land use and corresponding higher contaminant discharges and contaminant loads. Even with more efficient and environmentally-friendly farming practices, this would almost certainly result in water quality in the Ruamāhanga catchment failing to improve. This would be counterproductive to what the whaitua committee wants to achieve, as well as the environmental outcomes sought by the NPS-FM.

OPTION TWO: Land use change rules

The second option is to introduce rules that regulate land use changes. This rule framework could be structured one of two ways. Either the rules could target specific kinds of land use, such as prohibiting conversion from sheep and beef farming to dairying, or the rules could be designed around limits, such as requiring a resource consent for any land use changes that increase contaminant loads. Given the crudeness and bluntness of the former approach, my preference is a land use change rule framework that emphasises contaminant loads rather than targeting specific land uses.

A new policy would be needed to set out the rule framework, such as:

> *Policy PXX: Land use changes*
>
> *Changes to the character, scale, or intensity of land use that:*
>
> *(a) decrease contaminant loads are recognised as appropriate and are provided for; and*
> *(b) increase contaminant loads but do not exceed the freshwater management unit limits identified in Table xx are appropriate, provided that:*
> *i. the property where the contaminant discharge originates has a farm environment plan; and*
> *(c) increase contaminant loads above the freshwater management unit limits identified in Table xx are avoided.*

The policy covers three kinds of land use change – those that decrease contaminant loads, those that increase these loads but do not exceed limits, and those that increase loads and exceed limits. The policy is written to be unambiguous in its approach to land use changes that decrease contaminant loads. These land use changes are recognised as being appropriate and the policy requires that such changes must be provided for, which would generally require a rule/rules classifying such changes as permitted activities to be given effect.

The policy divides land use changes that increase contaminant loads into two sub-groups: those that increase loads but keep these loads below the maximum limits set by the committee, and those that increase these loads above the maximum limits. This approach may change during the provision development phase.

The former are considered generally inappropriate but the policy is written to recognise that such land use changes may be necessary, so the policy directs that land use changes that increase contaminant loads are discouraged provided the land use change does not increase contaminant loads above the maximums. Implementing such a policy would involve classifying such land use

changes as discretionary activities, allowing council officers to grant consent provided conditions were met.

Changes in land use that increase contaminant loads above the maximum limits set by the whaitua are wholly inappropriate as such changes would impair the whaitua implementation programme's direction to improve water quality and reduce discharges throughout the Ruamāhanga catchment. In light of the King Salmon decision, this language provides unambiguous direction – avoid means avoid.

Implementing this policy would require three new rules, one for each of the three kinds of land use change identified above. Each rule would have a different activity status as directed by the policy's language.

The first new rule would be for land use changes that decrease contaminant loads in the freshwater management unit where the land use change is taking place. Such changes in land use would need to be classified as permitted activities, as recommended by the whaitua committee and to give effect to the language used in the new policy (that such changes are provided for). The first new rule could be worded as follows:

> *Rule Rxx: Land use changes that decrease contaminant loads within a freshwater management unit – permitted activity*
>
> *Any change in the character, scale, or intensity of rural land use is a permitted activity, provided the following conditions are met:*
>
> *(a) The change in rural land use results in a decrease in all contaminant loads in the freshwater management unit in which the land use change is to occur.*
>
> *Note: For the avoidance of doubt, crop rotation practices by the horticulture and arable sectors are not considered a change in land use, even though these rotations may cause contaminant loads to vary from year to year.*

As recommended by the whaitua committee, this rule classifies changes in land use as being permitted activities provided contaminant loads are decreased – the preamble and clause (a) are thus fairly straightforward. The note is intended to make it clear to plan users that annual crop rotation practice by the horticulture industry is not considered a land use change. This needs to be made clear as these rotations can result in increases and decreases in contaminant loads depending on how various crops are cultivated. The whaitua committee's intent was for more discernible changes, such as from horticulture to dairy to be covered by this rule, not smaller changes such as crop rotation.

The second new rule would be for land use changes that increase contaminant loads but do not increase these loads above the maximum limits. This rule would classify these land use changes as a discretionary activity, as this was recommended by the whaitua committee. This new rule could be worded as follows:

> *Rule Rxy: Land use changes that increase contaminant loads within a freshwater management unit – discretionary activity*
>
> *Any change in the character, scale, or intensity of rural land use that does not meet the criteria of rule Rxx is a discretionary activity, provided the following condition is met:*

(a) The change in rural land use does not increase the load of any contaminant above the limits shown by Table xx.

Note: For the avoidance of doubt, annual crop rotation practices by the horticulture and arable sectors are not considered a change in land use, even though these rotations may cause contaminant loads to vary from year to year.

Because this rule is a discretionary activity, council may choose to either grant consent or notify the application. Clause (a) is straightforward – even though the change in land use may increase contaminant loads, no contaminant load may be increased above the maximum limits.

The third and final new rule that would be necessary to give effect to the proposed new policy is one to manage changes in land use that increase contaminant loads above the maximum limits Given the innate unpredictably of environment trends due to climate change, it seems prudent to retain this small degree of flexibility to such land use changes. The new rule should be a non-complying activity, and could be worded as follows:

Rule Rxz: Land use changes that increase contaminant loads – non-complying activity

Any change in the character, scale, or intensity of rural land use that would increase contaminant loads above the limits shown by Table xx is a non-complying activity.

Note: For the avoidance of doubt, annual crop rotation practices by the horticulture and arable sectors are not considered a change in land use, even though these rotations may cause contaminant loads to vary from year to year.

OPTION THREE: Use nitrogen loss as a proxy for intensification

The third option would use a proxy for intensification rather than defining or measuring intensification itself. One proxy used by multiple regional councils is nitrogen loss, which is used by Environment Canterbury, Waikato Regional Council, and Bay of Plenty Regional Council.

This approach would require farms to establish a nitrogen baseline/benchmark/reference point (to use terms used by various regional plans that use this approach). Once this has been established, land use would not be able to exceed the baseline without a resource consent. This in itself presents a challenge in the Ruamāhanga catchment, as anywhere from three to five years of nitrogen data would be required to establish these baselines to avoid manipulation of the system, and my understanding is that the vast majority of landowners do not have this data at the current time. Thus, this approach could not be viable for a few years while data was being gathered, and there would likely need to be some form of transitional arrangement/regulation in place in the meantime.

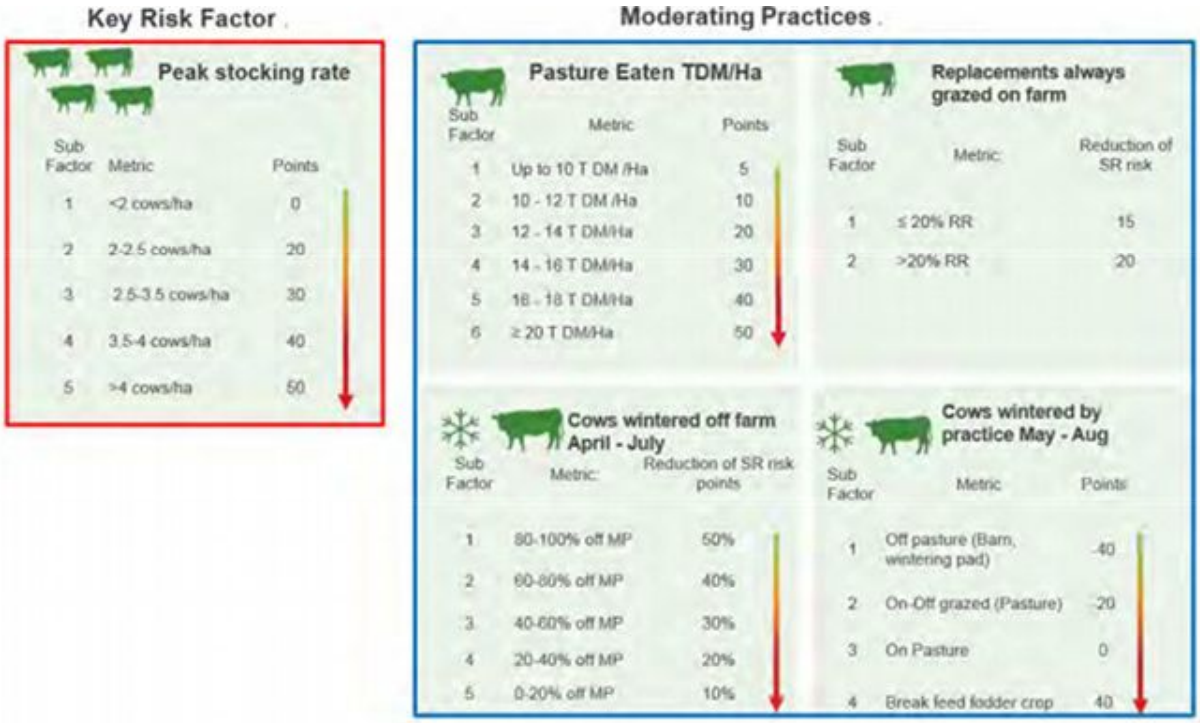
The Waikato Regional Council has designed its approach to land use intensification around using nitrogen loss as a proxy. In my view the approach used here is quite complex, with several different rules providing differing activity statuses and controls based on the type of land use, whether or not the property has a farm environment plan in place or not, and whether that farm environment plan is industry accredited or not. The rules also rely on three schedules. Of these that of most interest is the schedule that outlines how nitrogen baselines are determined. This schedule provides detailed requirements as to how the nitrogen baseline is to be calculated, and requires that this is done by a "Certified Farm Nutrient Advisor", while also requiring that a significant amount of data is provided to the council, including water use records, dairy production data, crop records, and invoices.

The Bay of Plenty Regional Council uses a similar approach in its Lake Rotorua catchment. Like the Waikato Regional Council, this approach uses OVERSEER to help set "2032 Nitrogen Discharge Allowance" and "Managed Reduction Targets". Stocking rates are also a key part of the approach used here, and are treated as something of a proxy. Schedules set out in detail the data to be used to determine nitrogen and stocking rates in the catchment. One aspect of the land use framework that distinguishes the approach used in the Lake Rotorua catchment is the use of transitional rules. The rules are divided into three timeframes – until 30th June 2017, between 1 July 2017 and 30 June 2022, and from 1 July 2022 onwards. The intention seems to be to allow a more gradual and easier transition for landowners into a stricter regime, as the rules with later starting dates have more conditions and requirements.

One significant problem relating to the implementation of this approach in the Ruamāhanga catchment is that nitrogen is not a contaminant of concern in the catchment – sediment and phosphorus are more significant and pressing issues. Nitrogen is generally associated with dairying and cropping, but dairying is not currently widespread in the Ruamāhanga catchment and cropping operations are generally very efficient with regard to nitrogen discharges and leaching.

Another challenge with this approach is that it is administratively challenging – OVERSEER, the most widely used tool, requires a great deal of work to use effectively. One variation on the approach that reduces this problem would be to design rules around a simpler online tool that assesses nitrogen risk, such as Fonterra's Nitrogen Risk Scorecard, shown below.

Within each of the six factors, there is a numeric range assigned to each of the levels of risk rating. Several risk factors and moderating practices make up each score. To calculate the risk factor for stock management for example the peak stocking rate, amount of pasture eaten per hectare, the percentage of replacements grazed on farm, the percentage of cows wintered off farm, and the kind of practice used for wintering cows are all given numeric values, which are used to calculate the risk factor. The quantifications of these sub-factors is shown below:


Key Risk Factor
Peak stocking rate
Sub Factor
Metric
Points
1
<2 cows/ha
0
2
2-2.5 cows/ha
20
3
2.5-3.5 cows/ha
30
4
3.5-4 cows/ha
40
5
>4 cows/ha
50
Moderating Practices
Pasture Eaten TDM/Ha
Sub Factor
Metric
Points
1
Up to 10 T DM /Ha
5
2
10 - 12 T DM /Ha
10
3
12 - 14 T DM/Ha
20
4
14 - 16 T DM/Ha
30
5
16 - 18 T DM/Ha
40
6
≥ 20 T DM/Ha
50
Replacements always grazed on farm
Sub Factor
Metric
Reduction of SR risk
1
≤ 20% RR
15
2
>20% RR
20
Cows wintered off farm April - July
Sub Factor
Metric:
Reduction of SR risk points
1
80-100% off MP
50%
2
60-80% off MP
40%
3
40-60% off MP
30%
4
20-40% off MP
20%
5
0-20% off MP
10%
Cows wintered by practice May - Aug
Sub Factor
Metric
Points
1
Off pasture (Barn, wintering pad)
40
2
On-Off grazed (Pasture)
20
3
On Pasture
0
4
Break feed fodder crop
40

Topic	**Reasonably Practicable Options - Water allocation**
Date	11 June 2019
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Richard Peterson, Consultant Policy Advisor, Environmental Policy**

Reasonably Practicable Options – Water Allocation

The following reasonably practicable options were identified to achieve the Ruamāhanga whaitua freshwater Objectives R.01, R.O2, R.O5 and R.O12.

These options relate to the broad mechanisms which could be used to implement water quantity objectives. The options do not outline the alternative approaches or provisions within each of the broad mechanisms. For example, the description for option 3 does not outline the different approaches that could be taken to setting minimum flows, or the different timeframes over which the minimum flows could be implemented.

Option	Reasonably Practicable Options	Description
1	Existing policies, rules and methods of the proposed Plan	Maintain the business-as-usual approach in the proposed Plan for the management of water allocation
2	Promoting additional non-regulatory mechanisms	Maintain the business-as-usual regulatory approach (as per option 1) but implement additional non-regulatory mechanisms
3	Implement the relevant Ruamāhanga Whaitua Implementation Plan recommendations	These recommendations involve • sub-catchment specific changes to PNRP minimum flows and allocations limits • investigating appropriate minimum flows and allocations regimes in other specified sub-catchments • reviewing the minimum flow conditions of existing water allocation consents which do not expire within five years • requiring category A groundwater takes to fully cease when minimum flows are reached • specify the water that can be taken under permitted activity rules • providing for non-consumptive takes

Table 1: Reasonably practicable options for the management of water allocation in the Ruamāhanga catchment.

Option 1: Existing policies, rules and methods of the proposed Plan

This option would involve retaining the status quo with the proposed Plan, with no additional policies, rules or methods applied to the Ruamāhanga catchment. Existing rules and non-regulatory methods would remain in place and apply to the Ruamāhanga catchment.

The framework of minimum flows and water levels, and allocation limits in the proposed Plan is broadly based on the provisions of the Regional Freshwater Plan (RFP), with adjustments in response to new information gathered in the 15 years since the RFP was made operative. The provisions are intended as interim provisions to be reviewed as part of the whaitua process, during which the balance of in-stream and out of stream values will be determined through the collaborative process.

Category A groundwater users would continue to face a 50% reduction in their takes when surface water flows drop below minimum flows.

Option 2: Additional Non-Regulatory Mechanisms

This option would involve retaining the status quo within the proposed Plan, with no additional policies or rules applied to the Ruamāhanga catchment. However additional non-regulatory mechanisms would be implemented. These would involve promoting practices by consent holders to improve the efficacy of the minimum flow provisions. The non-regulatory mechanisms could include encouraging:

- territorial authorities to inform and raise awareness of water conservation within their constituencies
- group and community water suppliers to develop water conservation plans, which address how takes will be managed as river flows approach and drop below minimum flows
- category A ground water users voluntarily reducing their takes by more than 50% when river flows reach minimum flows.

Option 3: Implementing the relevant Ruamāhanga Whaitua Implementation Plan recommendations

This option involves the implementation of the relevant recommendations from the Ruamāhanga Whaitua Implementation Plan by making changes to the proposed Plan and changing related resource consent conditions. The changes to the proposed Plan would involve:

- amending minimum flows and allocations limits in specific sub-catchments
- requiring category A groundwater takes to fully cease when minimum flows are reached
- specifying the amount of water that can be taken under permitted activity rules
- introducing provisions which enable the continuation of non-consumptive takes below minimum flows
- introducing provisions to support the resource consent practice identified below.

In addition to the changes to minimum flows and allocations that would be included in the change the proposed Plan, this option also involves investigating appropriate minimum flows and allocations regimes in other specified sub-catchments.

The changes to resource consent practice would involve:

- reviewing minimum flow conditions on existing consents which are not due to expire within five years
- requiring consent holders for community supply takes and water race takes to do more to reduce their takes when river flows drop below minimum flows.

Topic	**Reasonably Practicable Options - Water allocation**
Date	11 June 2019
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Tim Blackman, Senior Policy Advisor, Environmental Policy**

Reasonably Practical Options: Water use efficiency

The following reasonably practical options for **water use efficiency (theme 2)** were identified to achieve the Ruamāhanga whaitua freshwater Objective RO.05: Habitat space.

Option	Reasonably Practical Options	Description
1	Revert back to provisions from the Freshwater Plan	- Objective and method for the efficient use of water. - Policy for water races.
2	Retain existing provisions of the proposed Plan	- Requirement for water use efficiency of at least 80 percent to be achieved (set out within Schedule Q). - Exploring alternative management options for water races (Method M19).
3	Incorporate recommendations from the Ruamāhanga Whaitua Implementation Plan	- Water use efficiency of at least 80 percent must be achieved. However also provide for exceptions whereby this cannot be achieved. - Include a new policy in the proposed Plan which provides for short term consents for water races.

Option 1: Revert back to the approach taken in the Freshwater Plan

This option means reverting back to the relevant provisions in the Freshwater Plan.

There are two parts to this option:

- Part 1 – Objective to achieve the efficient use of water.
- Part 2 – Policy for water races.

Part 1 - In regards to the efficiency of water use, this option includes an objective (Objective 6.1.3) which is that water abstracted from rivers, streams, lakes and aquifers is used efficiently and water conservation is promoted. Further, (and in order to achieve Objective 6.1.3) Method 8.5.9 encourages water audits by major water users and suppliers to identify areas of wastage and opportunities to conserve or use water more efficiently.

Part 2 – In regards to water races, Policy 6.2.1 1 recognises that the continued use of water races in the Region will be considered at the time applications are made for permits to take water.

Option 2: Existing provisions of the proposed Plan

This option means retaining the status quo, with no additional provisions applied to the Ruamāhanga Whaitua. Current provisions in the proposed Plan would remain in place and apply to the Ruamāhanga Whaitua.

There are two parts to this option:

- Part 1 – Requirement for water use efficiency of at least 80 percent to be achieved (set out within Schedule Q).
- Part 2 – Exploring alternative management options for water races (Method M19).

Part 1 – The key difference between this option and that of the Freshwater Plan is the requirement to achieve at least 80 percent water user efficiency (see Schedule Q of the proposed Plan, which sets out criteria for reasonable and efficient use). However, what this criteria does not do is provide allowances for water use whereby there are environmental benefits from a water use which does not meet 80 percent.

Part 2 – In regards to water races, clause (e) of Method M19 (water management) is to explore alternative management options for water races.

Option 3: Incorporate recommendations from the Ruamāhanga Whaitua Implementation Plan

This option is the recommendation which has come out of collaboration with the Ruamāhanga Whaitua Committee (as set out in the Ruamāhanga Whaitua Implementation Plan). It mean's developing further the options taken in the proposed Plan (option 2).

There are two parts to this option:

- Part 1 – Water use efficiency of at least 80 percent, however provide for exceptions whereby this cannot be achieved.
- Part 2 - Include a policy in the proposed Plan which provides for short term consents for water races.

Part 1 of this option builds on option 2 (see part 1), which is that an irrigation application efficiency of 80% shall be achieved. However, this option goes one step further in that it provides exceptions for times whereby:

- The financial return from a less efficient application can be shown to be high; or
- There are meaningful benefits for the environment in a less efficient water use, which are likely to offset the benefits of achieving water use efficiency of at least 80 percent.

In regards to the former, an example of this could be upgrading irrigation from spray guns to a pivot irrigation system. An example of the latter is water races, which are inefficient from the perspective of losses to groundwater and evapotranspiration, however also provides an important role in recharging groundwater for local groundwater users.

Part 2 of this option is to include a new policy which provides for short term consents for water races. This will ensure that a decision on the most appropriate long term management options for a water race can be made in the first instance.

Topic	**Reasonably Practicable Options - Harvesting, attenuation & improving supply resilience**
Date	11 June 2019
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Tim Blackman, Senior Policy Advisor, Environmental Policy**

Reasonably Practical Options: Harvesting, attenuation & improving supply resilience

The following reasonably practical options for **harvesting, attenuation & improving supply resilience (theme 3)** were identified to achieve the Ruamāhanga whaitua freshwater Objective RO.05: Habitat space.

Option	Reasonably Practical Options	Description
1	Revert back to provisions from the Freshwater Plan	Revert back to the policy for water takes at high flows in the Freshwater Plan.
2	Retain existing provisions of the proposed Plan	Maintain business as usual (with the approach in the proposed Plan) for management of harvesting, attenuation & improving supply resilience.
3	Incorporate recommendations from the Ruamāhanga Whaitua Implementation Plan	Further to the approach for the management of harvesting, attenuation & improving supply resilience in the proposed Plan, also include a policy approach for: • taking water above low flows (for purposes wider than water storage); • the attenuation of water (in soils, wetlands and lakes and their riparian margins); • that there are multiple mechanisms (storage, harvesting, attenuation and aquifer recharge) which increase resilience and reliability of supply; and • precautionary approach for issuing resource consents for water takes

Option 1: Revert back to the approach taken in the Freshwater Plan

This option means reverting back to the provisions in the Freshwater Plan.

The single part to this option is to revert back to the policy in the Freshwater Plan (Policy 6.2.1, clause c), which is to promote the taking of water at higher flows for water storage in isolation.

Option 2: Retain existing provisions of the proposed Plan

This option means retaining the status quo, with no additional provisions applied to the Ruamāhanga Whaitua. Current provisions in the proposed Plan would remain in place and apply to the Ruamāhanga Whaitua.

There are two parts for this option:

- Part 1 - Policy for taking water above minimum flow (for water storage).
- Part 2 – Precautionary approach policy for issuing resource consents for water takes.

Part 1 - Policy P120 in the proposed plan promotes taking of water above minimum flow for the purpose of water storage. It does not, however, allow for takes above minimum flows for purposes wider than water storage.

Part 2 - Policy P3 in the proposed Plan is that a precautionary approach should be taken when there is limited information regarding the receiving environment. What it does not do is provide a precautionary policy which is specific to water takes.

Option 3: Incorporate recommendations from the Ruamāhanga Whaitua Implementation Plan

This option is the recommendation which has come out of collaboration with the Ruamāhanga Whaitua Committee (as set out in the Ruamāhanga Whaitua Implementation Plan). It mean's developing further the options taken in the proposed Plan (option 2).

There are three parts to this option:

- Part 1 – Include a new policy (or amendment to the existing policy in the proposed Plan) for the taking of water above low flows for purposes wider than water storage.
- Part 2 – Include two new policies to (1) recognise the importance of attenuation in soils, wetlands and lakes and (2) to recognise that there are multiple mechanisms to increase resilience and reliability of water supply.
- Part 3 – Include a new policy which is that a precautionary approach shall be taken when issuing resource consents for groundwater takes where information on the nature of the resource is limited.

Part 1 of this option builds on the approach in the Freshwater Plan (option 1) and proposed Plan (option 2) to promote the taking of water above minimum flows for water storage. However, the key difference is that under this option the new or revised policy will also provide for takes above minimum flow, for purposes wider than water storage. For example, managed aquifer recharge whereby water quality is degraded for a particular attribute of water quality.

Part 2 of this option includes two new policies to directly:

- Recognise the importance of attenuation of water in soils, wetlands and lakes for purposes of groundwater recharge, wetland restoration and resilience in communities in the Ruamāhanga Whaitua; and
- Recognise that there are multiple mechanisms (storage, harvesting, attenuation and aquifer recharge) which increase resilience and reliability of water supply.

This new approach will assist in improving the reliability of supply during dryer months, enhance river or stream base flow and the quality of habitat and ecology across the Ruamāhanga Whaitua.

Part 3 of this option builds on the approach taken in option 2 (discussed above), which is in regards to a precautionary approach. However, under this option the new policy is specific to water take consents; to ensure that a precautionary approach is taken for issuing resource consents for groundwater takes where information on the nature of the resource is limited.

greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao

Report	**2019.224**
Date	28 May 2019
File	CCAB-11-266
Committee	**Te Upoko Taiao - Natural Resources Plan Committee**
Author	**Nora Moore, Hearings Advisor**

Public Notification of the Decisions on submissions and further submissions to the Proposed Natural Resources Plan

1. Purpose

To update Te Upoko Taiao - Natural Resource Management Committee (Te Upoko Taiao) on the process to publicly notify the Decisions on submissions of the independent hearing panel, to the Proposed Natural Resources Plan for the Wellington Region.

2. Background

The Proposed Natural Resources Plan (PNRP) for the Wellington Region is a single integrated plan, to manage all of the natural resources (which the Wellington Regional Council has a function to manage) across the entire region. The PNRP incorporates the five operative regional plans:

- Regional Air Quality Management Plan;
- Regional Plan for Discharges to Land;
- Regional Freshwater Plan;
- Regional Soil Plan; and
- Regional Coastal Plan.

The PNRP was publicly notified by the Council on 31 July 2015 following the process set out in Schedule 1 of the Resource Management Act 1991 and submissions and further submissions were received by the Wellington Regional Council.

A panel of independent hearing commissioners was appointed by Council on 30 September 2015 and delegated all necessary powers to conduct a formal hearings process, to hear and decide on submissions on the PNRP. Hearings commenced in May 2017 and concluded in August 2018.

Table 1 – Snapshot of hearing process

429 formal submissions	**95** further submissions
11,455 submission points	**2,950** further submission points
68 **hearing days**	
18 major topics	**6** hearing streams
300 **Submitter hearing sessions**	
596 **tabled documents**	**19** expert conferences
62 **requests for extensions to hearing timeframes**	
4 extensions to decision timeframes	

The significance and substantive nature involved with reviewing and integrating five regional plans, and conducting a hearing process to enable fair participation by submitters across a large region, covering a complex range of topics resulted in the Panel being granted four extensions to notify its decisions on submissions (31 July 2017, 31 July 2018, 30 November 2018 and 31 July 2019).

These extensions were necessary to ensure that the interests of the community in achieving an adequate consideration of submissions and evidence, and assessment of the effects of the PNRP were met. This was achieved through the hearing process. The decisions are due to be publicly notified on **31 July 2019**.

It is proposed that Council publicly notify the Decisions on submissions on 31 July 2019. The public notice will be placed in regional newspapers (Dominion Post and Wairarapa Times Age). A notice will be sent to all submitters and further submitters, TAs, Minister of Conservation, mana whenua and other key partners.

Full copies of the Decisions will be made available for viewing at all public libraries throughout the Wellington region, and at GWRC Council offices located at:

- Shed 39, 2 Fryatt Quay Pipitea, **Wellington**
- 15 Walter Street, Te Aro, **Wellington**
- 1056 Fergusson Drive, **Upper Hutt**
- Level 4, Department Building, 35-37 Chapel Street, **Masterton**

Any person who made a submission or further submission may appeal the publicly notified decisions to the Environment Court. Submitters may only appeal on a provision or a matter in the decision if they referred to the relevant provision or matter in their submission or further submission. An appeal cannot seek the withdrawal of the proposed Plan as a whole.

Appeals to the Environment Court must be lodged with the Environment Court within 30 working days of the public notice of the decision, **by 11 September 2019**.

All updates and information will continue to be made available on the website. A clear record of relevant decisions and explanatory material relating to decisions will be accessible to interested parties and plan users.

The amendments to the rules in the decisions version of the PNRP take legal effect from 31 July 2019 (being the date of public notification). These provisions replace those in place since notification of the PNRP (31 July 2015) in accordance with Section 86B of the Resource Management Act 1991.

The Natural Resources Plan will not be fully operative until all appeals are resolved. Those parts of the PNRP which are not appealed are treated as operative. The Council is required to publicly notify the date on which the Natural Resources Plan becomes operative – at least five working days before the date on which it becomes operative.

3. Ministerial Approval

Under Schedule 1 of the RMA, councils are required to notify the Minister for the Environment, Minister of Conservation and regional conservator, TAs and neighbouring regional councils, tangata whenua through iwi authorities when the Natural Resources Plan is made operative (under clause 20 of the First Schedule of the RMA).

The Ministers will have the opportunity to have further input through the appeals process. Proposed plans are an important source of information for monitoring the effectiveness of the RMA, legislative reform and how councils will implement national direction (National Policy Statements and National Environmental Standards).

As the Regional Coastal Plan forms part of the PNRP, the Minister of Conservation will need to approve and sign off that part which relates to the coastal marine area – **after** all appeals are resolved.

Table 2 – Notification and Appeals Process

Process Steps	Description	Timeframes
1. Legal Status	On and from the date the decisions are publicly notified, the PNRP is amended in accordance with the decisions. While all the rules in the PNRP have had legal effect since being notified on 31 July 2015, the Natural Resources Plan will not be fully operative until all appeals (if any) are resolved.	Legal effect from 31 July 2019.
2. An opportunity to lodge an Appeal to the Decisions under Clause 14 Schedule 1, Resource Management Act 1991	Submitters and further submitters have 30 working days from the public notification to lodge an appeal of the decisions with the Environment Court.	30 working days By 11 September 2019
3. An opportunity to become party to proceedings under Section 274, Resource Management Act 1991.	A section 274 notice must be lodged with the Environment Court within 15 working days after the period for lodging a notice of appeal ends. You can become a Section 274 party to the proceedings if you lodged a submission on the subject matter of the appeal or if you have an interest in the proceedings greater than the public generally.	15 working days By 2 October 2019
4. Final consideration of the NRP (for those parts of the Plan which are not appealed) in accordance with Clause 17 Schedule 1, Resource Management Act 1991.	While all the rules in the PNRP have legal effect since being notified on 31 July 2019, the Natural Resources Plan will not be fully operative until all appeals (if any) are resolved. Those parts of the Plan which are not appealed are treated as operative. The Council is required to publicly notify the date on which the Natural Resources Plan becomes operative – at least five working days before the date on which it becomes operative in part.	Notified 5 working days before it becomes operative
5. Consideration of the NRP by Council in accordance with Clause 18 Schedule 1, Resource Management Act 1991.	Council shall adopt the proposed regional coastal plan provisions of the Natural Resources Plan, by affixing the Seal of Council and send to the Minister of Conservation for approval.	2020
6. Ministerial approval of Regional Coastal Plan as part of the (PNRP) in accordance with Clause 19 Schedule 1, Resource Management Act 1991.	As soon as practicable the plan shall be sent to the Minister of Conservation for approval.	2020
7. Operative date in accordance with Clause 20 Schedule 1, Resource Management Act 1991.	An approved plan shall become an operative plan on a date which it is to be publicly notified. While all the rules in the PNRP have had legal effect since being notified on 31 July 2019, the Natural Resources Plan will not be fully operative until all appeals (if any) are resolved. The Council is required to publicly notify the date on which the Natural Resources Plan becomes operative – at least five working days before the date on which it becomes operative.	Notified 5 working days before it becomes Operative.

4. Comment

The decisions, a summary table of reasons and the decisions "tracked changed" version of the PNRP will be substantial documents. Key issues and themes arising from the decisions will be summarised by officers once they have been received.

Policy guidance and advice will be provided to internal stakeholders to assist users understanding and interpretation of the PNRP as it progresses through any appeals to operative status.

5. Public notification

This paper updates Te Upoko Taiao on the notification and appeals timelines proposed for notifying the decisions of the Independent Hearing Panel.

Following the decisions being publicly notified there is likely to be an increase in public and media interest.

There is a high probability that there will be appeals, mediation, possible Environment Court rulings and decisions to incorporate into work programmes. These tasks are based around the appeals process but will need to be revisited as we move through this phase, and it will be largely influenced by the directions of the Environment Court.

Table 3 – Notification and Appeals timeline

24 July 2019	Postal service notice of the decision has been served on those persons who made a submission or further submission on the proposed Natural Resources Plan, and do not have an electronic service address.
31 July 2019	Electronic Notice of the decision has been served on all other persons who made a submission or further submission on the proposed Natural Resources Plan
31 July 2019	Decisions are publicly notified by GWRC. The amendments to the rules in the proposed Natural Resources Plan take legal effect from the date of public notification.
11 Sept 2019	Any person who made a submission and / or further submission may appeal the Council's decision to the Environment Court.

6. Communication

Communication is necessary to publicly notify the Decisions on submissions of the independent hearing panel, to the Proposed Natural Resources Plan for the Wellington Region, together with the notification and appeals timelines as required by Schedule 1 of the RMA.

7. The decision-making process and significance

This report is for receiving and noting, and sets out the notification and appeals timelines for publicly notifying the Decisions on submissions of the independent hearing panel, to the Proposed Natural Resources Plan for the Wellington Region. It is proposed that an update be provided once the PNRP decisions has been publicly notified, and any resulting appeals from submitter parties (if any) lodged with the Environment Court.

In accordance with the significance and engagement Policy, officers have determined that the appropriate level of engagement is high and takes into consideration the requirements of Schedule 1 of the RMA and Part 6 of the Local Government Act 2002.

8. Recommendations

That the Committee:

1. ***Receives*** *the report.*

2. ***Notes*** *the content of the report.*

Report prepared by:	Report approved by:	Report approved by:
Nora Moore Hearings Advisor Environmental Policy	**Alastair Smaill** Acting Manager Environmental Policy	**Alistair Cross** Kaiwhakahaere Matua mo te Taiao, General Manager Environment Group