



Taranaki  
Regional Council

Regional  
**Fresh Water**  
Plan for  
Taranaki

# Regional Fresh Water Plan for Taranaki

Taranaki Regional Council  
Private Bag 713  
Stratford  
October 2001  
3207516

## Version

<b>Version</b>	<b>Date</b>	<b>Description</b>
1.0	May 2018	As amended by National Environmental Standards for Plantation Forestry Regulations 2017
1.1	June 2021	As amended by National Policy Statement for Freshwater Management 2020 and National Environmental Standards for Freshwater Regulations 2020 Minor inconsequential changes from these amendments
1.2	Nov 2021	Minor inconsequential changes to advisory notes in rules 48, 49 and 50
1.3	July 2022	Minor inconsequential changes to formatting and minor errors
1.4	Sept 2023	As amended by the National Policy Statement for Freshwater Management 2020 (as amended February 2023). Formatting and minor errors.

# Taranaki Regional Council

## Regional Fresh Water Plan for Taranaki

This Regional Fresh Water Plan was prepared by the Taranaki Regional Council under section 65 and the First Schedule to the Resource Management Act 1991.

The Taranaki Regional Council approved the Regional Fresh Water Plan for Taranaki on 26 September 2001 and it became operative on 8 October 2001.

DATED at Stratford this 26th day of September 2001.

SIGNED by the TARANAKI REGIONAL COUNCIL by the affixing of its common seal in the presence of



R L Allen (Chairman)

B G Chamberlain (Chief Executive)





# Preface

This is the first Regional Fresh Water Plan prepared by the Taranaki Regional Council under the Resource Management Act 1991. The purpose of the Plan is to assist the Taranaki Regional Council to promote the sustainable management of the fresh water resources of the region.

The fresh water resources of the Taranaki region are extensively used and highly valued. Taranaki's fresh water resources, particularly its rivers and groundwater aquifers, are essential for the continued well-being of our community. We must have fresh water for drinking and other domestic uses and our rivers and groundwater aquifers meet this vital need. Fresh water is also essential for our industries and agriculture and for a wide range of recreational pursuits. For the Tangata Whenua of the region, our waterways have unique spiritual and cultural values.

Overall, our region is blessed with plentiful supplies of fresh water. The quality of our fresh water has improved significantly in the last two decades, even though there have been increasing pressures on water resources for agricultural and industrial expansion. However, because fresh water is so important to Taranaki, we must not become complacent. We must ensure that in managing our fresh water resources we maintain healthy rivers and streams not only for present users but also for our future generations. This Plan has therefore been prepared to help the Taranaki Regional Council manage the adverse effects of our activities on our fresh water resources to achieve this end. In doing this the Plan identifies a number of our waterways that have particular values that will be taken into account by the Taranaki Regional Council in implementing the Plan and in considering applications for resource consents.

At the same time, there are many activities, such as small riverbed structures or taking small quantities of water, that have only minor adverse effects on the environment. The Plan has been written to allow these activities to be carried out without the need for a resource consent. This will result in reduced costs and bureaucracy.

On behalf of the Taranaki Regional Council I would like to thank all those who have participated in the preparation of the Regional Fresh Water Plan for Taranaki. I look forward to working with you to promote the sustainable management of fresh water in Taranaki.

Ross L Allen

Chairman



# Table of contents

<b>Regional Fresh Water Plan for Taranaki</b>	<b>ii</b>	1.8 Other statutes and regulations .....	7
<b>Taranaki Regional Council</b>	<b>iv</b>	1.9 Structure of the Plan .....	8
<b>Regional Fresh Water Plan for Taranaki</b>	<b>iv</b>	1.10 Location of rivers .....	10
<b>Preface</b>	<b>i</b>	<b>2 Definitions</b>	<b>11</b>
<b>Table of contents</b>	<b>i</b>	<b>Part Two</b>	<b>21</b>
<b>Part One</b>	<b>1</b>	<b>Fresh water management framework</b>	<b>21</b>
<b>Introduction</b>	<b>1</b>	<b>3 Natural, ecological and amenity values and public access</b>	<b>23</b>
<b>1 Introduction</b>	<b>3</b>	3.1 Issue: Protection and enhancement of the natural, ecological and amenity values of fresh water .....	23
1.1 Title .....	3	Objectives.....	24
1.2 Purpose.....	3	Policies.....	24
1.3 Operative date.....	3	Methods of implementation.....	26
1.4 Effect of Plan .....	3	Environmental results anticipated .....	28
1.5 Statutory restrictions on activities .....	3	3.2 Issue: Maintenance and enhancement of public access to and along rivers and lakes .....	29
1.6 Other Plans and resource consents.....	5	Objective.....	29
1.7 National Policy Statements and Standards.....	5	Policies.....	29
1.7.1 National Policy Statement for Freshwater Management 2020 .....	6	Methods of implementation.....	30
1.7.2 National Policy Statement for Freshwater Management 2011 .....	6	Environmental results anticipated .....	30
1.7.3 Resource Management (National Environmental Standards for Freshwater) 2020.....	6	<b>4 Tangata Whenua</b>	<b>31</b>
1.7.4 Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 .....	7	4.1 Issue: Recognising and providing for the relationship of Tangata Whenua and iwi and hapu of Taranaki and their culture tapu and traditions with their water, sites, wāhi tapu and other taonga.....	31
1.7.5 Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 .....	7	Objective.....	32

Policies.....	32
Methods of Implementation.....	33
Environmental results anticipated.....	35
<b>5 Use and development of fresh water</b>	<b>37</b>
5.1 Issue: Enabling appropriate use and development of fresh water .....	37
Objectives .....	37
Policies.....	38
Methods of implementation.....	38
Environmental results anticipated.....	39
<b>Part Two A</b>	<b>41</b>
<b>Transitional provisions – National Policy Statement for Freshwater Management</b>	<b>41</b>
<b>5 A. Transitional provisions – NPS for Freshwater Management</b>	<b>42</b>
Objective .....	42
Policies.....	42
<b>Part Three</b>	<b>46</b>
<b>Resource issues in the Taranaki region</b>	<b>46</b>
<b>6 Resource issues in the Taranaki region</b>	<b>48</b>
6.1 Issue: The adverse effects of the taking, use, damming and diversion of surface water .....	48
Objective .....	48
Policies.....	48
Methods of implementation.....	52
Environmental results anticipated.....	53

6.2 Issue: Adverse effects on surface water quality from the discharge of contaminants from point sources .....	54
Objective.....	54
Policies.....	54
Methods of Implementation.....	57
Environmental results anticipated.....	58
6.3 Issue: Adverse effects on surface water quality from diffuse source discharges.....	59
Objective.....	59
Policies.....	60
Methods of Implementation.....	61
Environmental results anticipated.....	62
6.4 Issue: Adverse effects on the environment from the taking and use of groundwater.....	63
Objective.....	63
Policies.....	63
Methods of Implementation.....	65
Environmental results anticipated.....	65
6.5 Issue: Adverse effects on groundwater quality from the discharge of contaminants to land and water.....	66
Objectives.....	66
Policies.....	66
Methods of Implementation.....	67
Environmental results anticipated.....	68
6.6 Issue: Adverse effects on the environment from uses of river and lake beds.....	69
Objectives.....	69

Policies.....	70
Methods of Implementation.....	72
Environmental results anticipated.....	74
6.7 Issue: Adverse effects on the environment from land drainage.....	75
Objective .....	75
Policy 75	
Methods of Implementation.....	76
Environmental results anticipated.....	76
6.8 Issue: Adverse effects of land use activities on wetlands .....	77
Objective .....	77
Policies.....	77
Methods of Implementation.....	79
Environmental results anticipated.....	80
<b>Part Four</b>	<b>82</b>
<b>Regional rules</b>	<b>82</b>
<b>7 Regional rules</b>	<b>84</b>
7.1 Introduction.....	84
7.2 Guide to consent applicants.....	84
7.3 Rule tables.....	87
7.3.1 Arrangement of rules.....	87
7.3.2 How the tables are formatted.....	88
7.3.3 How the classifications are used.....	90
7.3.4 NES advisory notes .....	90
Hangatahua (Stony) River catchment.....	92
Taking and use of surface water in the Hangatahua (Stony) River catchment.....	93

Damming and diversion of surface water in the Hangatahua (Stony) River catchment.....	94
Discharge of contaminants to land and water in the Hangatahua (Stony) River catchment.....	95
Structures in the Hangatahua (Stony) River catchment .....	96
Activities undertaken for river and flood control purposes in the Hangatahua (Stony) River catchment .....	98
Other uses of the bed of the Hangatahua (Stony) River catchment .....	100
Taking, use, damming and diversion of surface water (excluding in the Hangatahua (Stony) catchment).....	102
Taking and use of surface water.....	103
Damming or diversion of surface water.....	105
Discharges of contaminants to land and water (excluding discharges to water in the Hangatahua (Stony) River catchment) .....	108
Discharge of water.....	109
Discharge of on-site wastewater.....	110
Discharge of stormwater.....	111
Discharge of stormwater (continued).....	113
Discharges from closed landfills.....	116
Discharges from industrial and trade premises.....	117
Agricultural discharges .....	118
Agricultural discharges (continued) .....	121
Agricultural discharges (continued) .....	124
Discharges from hydrocarbon exploration.....	126
Discharges from hydrocarbon exploration (continued).....	127
Other discharges .....	128

Groundwater .....	130
Bore or well construction.....	131
Taking and use of groundwater .....	132
Deepwell injection .....	133
Uses of river and lake beds (excluding the Hangatahua (Stony) River catchment)..	134
Existing structures.....	135
Maintenance of structures .....	136
Removal of structures .....	137
Access structures.....	139
Barrier structures.....	141
Other structures.....	143
Plants .....	146
Other uses of river and lake beds.....	148
Land drainage (excluding in the Hangatahua (Stony) River catchment).....	154
Land drainage.....	155
Wetlands .....	158
Wetlands.....	159
7.4 Explanation of rules.....	161
7.4.1 Hangatahua (Stony) River catchment.....	161
7.4.2 Taking, use, damming and diversion of surface water.....	163
7.4.3 Discharge of contaminants to land and water .....	163
7.4.4 Groundwater.....	167
7.4.5 Uses of river and lake beds.....	168
7.4.6 Land Drainage.....	171
7.4.7 Wetlands .....	171

<b>Part Five</b>	<b>173</b>
<b>Administrative matters</b>	<b>173</b>
<b>8 Information to be submitted with an application for a resource consent</b>	<b>175</b>
8.1 General (all activities).....	175
8.2 Taking, use, damming and diversion of surface water .....	175
8.3 Discharges of contaminants.....	175
8.4 Groundwater .....	176
8.5 Uses of river and lake beds.....	176
8.6 Land drainage .....	176
8.7 Wetlands .....	177
8.8 Assessment of effects on the environment .....	177
8.9 Requirement for further information.....	178
<b>9 Financial contributions</b>	<b>180</b>
9.1 Introduction .....	180
9.2 Circumstances, purpose and amount.....	181
9.3 Matters to be considered .....	182
<b>10 Administrative procedures</b>	<b>183</b>
10.1 Introduction .....	183
10.2 Integrated management and cross-boundary issues.....	183
Procedures.....	184
10.3 Monitoring .....	184
Procedures.....	185
10.4 Review .....	185
Procedures.....	185

<b>Appendix I Natural, ecological and amenity values of selected rivers and streams</b>	<b>187</b>
Appendix IA Rivers and stream catchments with high natural, ecological and amenity values.....	189
Appendix IB Rivers and stream catchments identified for enhancement of natural, ecological and amenity values and life supporting capacity .....	200
<b>Appendix II Values of protected and regionally significant unprotected wetlands</b>	<b>203</b>
Appendix IIA Values of protected wetlands in the Taranaki region .....	204
Appendix IIB Values of regionally significant unprotected wetlands in the Taranaki region .....	208
<b>Appendix III Wetlands containing nationally or regionally rare, threatened or uncommon flora or fauna</b>	<b>213</b>
Appendix III Schedule of wetland sites under 5 ha in the Taranaki region that contain nationally or regionally rare, threatened or uncommon indigenous flora or fauna.....	215
<b>Appendix IV Catchment maps (Sourced from Land Information New Zealand data. Crown Copyright Reserved.)</b>	<b>217</b>
<b>Appendix V Surface water quality guidelines</b>	<b>231</b>
<b>Appendix VI Good agrichemical spray management practices</b>	<b>235</b>
<b>Appendix VII Good management practices for discharge of agricultural effluent</b>	<b>239</b>
Appendix VIIA Good management practices for discharging farm dairy effluent to land.....	240
Appendix VIIB Good management practices for discharging farm dairy effluent to water .....	245
Appendix VIIC Good management practices for discharging piggery effluent to land.....	251

Appendix VIID Good management practices for discharging poultry washdown water and poultry effluent to land.....	255
<b>Appendix VIII Guidelines for groundwater bores and wells</b>	<b>258</b>
<b>Appendix IX Maps of defined urban catchments</b>	<b>263</b>
<b>Appendix X Statutory acknowledgements</b>	<b>289</b>
<b>Appendix XA: Statutory acknowledgements</b>	<b>291</b>
<b>Appendix XB: Ngati Ruanui statutory acknowledgements</b>	<b>293</b>
<b>Appendix XC: Ngati Tama statutory acknowledgements</b>	<b>301</b>
<b>Appendix XD: Ngaa Rauru Kiitahi statutory acknowledgements</b>	<b>314</b>
<b>Appendix XE: Ngāti Mutunga statutory acknowledgements</b>	<b>324</b>
<b>Appendix XF: Taranaki statutory acknowledgements</b>	<b>344</b>
<b>Appendix XG: Ngāruahine statutory acknowledgements</b>	<b>355</b>
<b>Appendix XH: Te Atiawa statutory acknowledgements</b>	<b>372</b>

## List of figures

<b>Figure 1</b>	Location of rivers and streams in Taranaki.....	10
<b>Figure 2</b>	Activity classifications.....	86
<b>Figure 3</b>	Location of statutory acknowledgements for Ngati Ruanu.....	299
<b>Figure 4</b>	Location of statutory acknowledgements for Ngati Tama.....	312
<b>Figure 5</b>	Location of statutory acknowledgements for Ngaa Rauru Kiihahi.....	323
<b>Figure 6</b>	Location of statutory acknowledgements for Ngāti Mutunga.....	343

## List of tables

<b>Table 1</b>	Catchments or reaches where taking and use of water will be prohibited....	49
<b>Table 2</b>	Catchments or reaches where taking, use, damming and diversion of water will be limited.....	49
<b>Table 3</b>	Riparian management catchments.....	60
<b>Table 4</b>	Arrangement of rules according to activity.....	87

# Part One

## Introduction



# 1 Introduction

## 1.1 Title

This Regional Plan is known as the Regional Fresh Water Plan for Taranaki.

## 1.2 Purpose

The Regional Fresh Water Plan (the Plan) has been prepared by the Taranaki Regional Council in accordance with the requirements of the Resource Management Act 1991 (the Act).

The purpose of the Plan is to assist the Taranaki Regional Council to carry out its functions under the Act to promote the sustainable management of the fresh water resources of the Taranaki region.

The Plan identifies how the fresh water resources of the region (both surface water and groundwater) are to be managed. It does this by identifying important issues from state of the environment monitoring relating to the use, development and protection of the fresh water resources of Taranaki. Objectives, policies and methods are set out for addressing these issues. Ongoing state of the environment monitoring will enable the Taranaki Regional Council to assess the effectiveness of the Plan and review policy direction where necessary. In particular the Plan contains regional rules which categorise activities into different classes (permitted, controlled, discretionary or prohibited), with different standards, terms or conditions which apply to them, depending on the effects on the environment of that activity. Activities have been classified in this way to facilitate the processing of resource consents and to provide certainty for the community.

## 1.3 Operative date

This Plan was approved by the Taranaki Regional Council on 26 September 2001 and became operative on 8 October 2001.

## 1.4 Effect of Plan

The provisions of the Plan have legal force under the Act. Regional rules have the force and effect of a regulation under the Act. The Taranaki Regional Council must have regard to the provisions of the Plan when considering applications for resource consents (section 104 of the Act). The Taranaki Regional Council is required by section 84 of the Act to comply with the provisions of the Plan and, to the extent of its authority, enforce compliance with the Plan.

The Plan has effect over the Taranaki Region, shown on SO Plan No. 13043 deposited with the Chief Surveyor of the Taranaki Land District, but does not have effect over the coastal marine area of the Taranaki region<sup>1</sup>. It includes all surface rivers, streams and lakes, and the groundwater resource.

## 1.5 Statutory restrictions on activities

In order to control environmental effects the Act restricts certain activities under sections 9 (Restrictions on use of land – relating in the Plan to the drilling of wells or bores), 13 (Restriction on certain uses of beds of lakes and rivers), 14 (Restrictions relating to water) and 15 (Discharge of contaminants into environment). Those restrictions are outlined here for the benefit of Plan users.

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<sup>1</sup> *The Regional Coastal Plan for Taranaki, prepared and administered by the Taranaki Regional Council has effect over the coastal marine area of the Taranaki region.*

**Section 9 Restrictions on use of land -**

- (2) No person may use any land in a manner that contravenes a rule in a regional plan or a proposed regional plan unless that activity is-

*Expressly allowed by a resource consent granted by the regional council responsible for the plan; or*

*Allowed by section 20A (certain existing lawful uses allowed).*

**Section 13 Restriction on certain uses of beds of lakes and rivers -**

- (1) No person may, in relation to the bed of any lake or river –

- (a) Use, erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed; or
- (b) Excavate, drill, tunnel, or otherwise disturb the bed; or
- (c) Introduce or plant any plant or any part of any plant (whether exotic or indigenous) in, on, or under the bed, or
- (d) Deposit any substance in, on, or under the bed; or
- (e) Reclaim or drain the bed -

*unless expressly allowed by a rule in a regional plan and in any relevant proposed regional plan or a resource consent.*

- (2) No person may –

- (a) Enter or pass across the bed of any river or lake; or
- (b) Disturb, remove, damage, or destroy any plant or part of any plant (whether exotic or indigenous) or the habitats of any such plants or of animals in, on, or under the bed of any lake or river –

*in a manner that contravenes a rule in a regional plan or proposed regional plan unless that activity is –*

- (a) *Expressly allowed by a resource consent granted by the regional council responsible for the plan; or*

- (b) *Allowed by section 20A (certain existing lawful uses allowed).*

**Section 14 Restrictions relating to water -**

- (2) No person may take, use, dam or divert any of the following, unless the taking, use, damming, or diversion is allowed by subsection (3).

- (a) Water (other than open coastal water); or

- (b) Heat or energy from water (other than open coastal water); or

- (c) Heat or energy from the material surrounding any geothermal water –

- (3) A person is not prohibited by subsection (2) from taking, using, damming, or diverting any water, heat, or energy if –

- (a) The taking, use, damming, or diversion is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan or a resource consent; or

- (b) In the case of fresh water, the water, heat, or energy is required to be taken or used for –

- (i) An individual's reasonable domestic needs; or

- (ii) The reasonable needs of an individual's animals for drinking water –

*and the taking or use does not, or is not likely to, have an adverse effect on the environment; or*

- (c) In the case of geothermal water, the water, heat, or energy is taken or used in accordance with Tikanga Maori for the communal benefit of the Tangata Whenua of the area and does not have an adverse effect on the environment; or

- (d) *In the case of coastal water (other than open coastal water), the water, heat, or energy is required for an individuals reasonable domestic or recreational needs and the taking, use, or diversion does not, or is not likely to, have an adverse effect on the environment; or*
- (e) *The water is required to be taken or used for emergency services or training purposes in accordance with section 48 of the Fire and Emergency New Zealand Act 2017.*

**Section 15 Discharge of contaminants into environment -**

- (1) *No person may discharge any -*
  - (a) *Contaminant or water into water; or*
  - (b) *Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or*
  - (c) *Contaminant from any industrial or trade premises into air; or*
  - (d) *Contaminant from any industrial or trade premises onto or into land - unless the discharge is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan, a resource consent, or regulations.*
- (2) *No person may discharge any contaminant into the air, or into or onto land, from-*
  - (a) *Any place; or*
  - (b) *Any other source, whether moveable or not - in a manner that contravenes a rule in a regional plan or proposed regional plan unless the discharge is expressly allowed by a resource consent or regulations or allowed by section 20 (certain existing lawful activities allowed).*

These restrictions apply in the absence of a relevant rule in the Plan. Certain rules in the Plan make reference to sections 13, 14 and 15 of the Act as set out above.

## 1.6 Other Plans and resource consents

The rules contained in the Plan only address activities relating to fresh water. They do not cover other aspects of an activity or operation such as the discharge of contaminants to air. The rules in the Plan do not preclude the need to comply with other regional Plans prepared by the Taranaki Regional Council or district Plans prepared by the New Plymouth, Stratford or South Taranaki District Councils. There may be a need to apply for other resource consents from either the Taranaki Regional Council or the New Plymouth, Stratford or South Taranaki District Councils.

The Plan has been prepared taking into account and to not be inconsistent with the provisions of the Regional Policy Statement, the Regional Coastal Plan and the Regional Air Quality Plan prepared by the Taranaki Regional Council. The Regional Policy Statement provides an overview of the resource management issues of the region, and identifies policies and methods to achieve integrated management of the natural and physical resources of the whole region. The purpose of the Regional Coastal Plan is to promote the sustainable management of natural and physical resources in the coastal marine area of Taranaki. The Regional Air Quality Plan assists the Taranaki Regional Council to carry out its functions with respect to the sustainable management of the air resource of Taranaki, and relates mainly to discharges of contaminants to air.

## 1.7 National Policy Statements and Standards

National policy statements (NPSs) and national environmental standards (NESs) are regulations issued under sections 45 and 46 of the Act by the Government. NPS state objectives and policies for matters of national significance, which regional plans must give effect to and help to drive national consistency on their subject matter. NES prescribe technical standards, methods or requirements for environmental matters.

The requirements of NPSs and NESs are in addition to those given in this Plan. NPS and NES of particular relevance to this Plan are summarised below, however users of the Plan should also check for the existence of any new NPSs and NESs relating to fresh water.

### 1.7.1 National Policy Statement for Freshwater Management 2020

The *National Policy Statement for Freshwater Management 2020* (NPS-FM) was gazetted on 3 August 2020. The NPS-FM sets out objectives and policies for freshwater management under the Resource Management Act.

Requirements for Council under the NPS-FM include:

- give effect to Te Mana o te Wai<sup>2</sup>
- improve degraded water bodies, and maintain or improve all others using bottom lines defined in the NPS-FM.
- avoid any further loss or degradation of wetlands and streams and encourage wetland restoration
- include national objectives framework in regional plans, including freshwater management units, their values, and set environmental outcomes as objectives.

The NPS-FM requires regional councils to prepare regional plans that give full effect to the NPS-FM by 31 December 2024. This matter will be addressed as part of the review of a new regional plan addressing freshwater issues.

In the interim, three transitional provisions immediately apply. These policies, which are set out in Part 5A of the Plan, set out the matters that the Taranaki Regional Council must consider in relation to resource consent applications to:

- Natural inland wetlands
- Rivers
- Fish passage.

### 1.7.2 National Policy Statement for Freshwater Management 2011

The NPS for Freshwater Management 2011 was gazetted on 12 May 2011. The NPS sets out objectives and policies for freshwater management under the Act but has since been repealed and replaced by the NPS for Freshwater Management 2020. However, two transitional policies that were required by the NPS to be in the Plan continue to still apply. These policies, which are set out in Part 5A of the Plan, set out the matters that the Taranaki Regional Council must consider in relation to resource consent applications to:

- discharge contaminants into fresh water, or onto or into land in circumstances that may result in the contaminant entering fresh water
- take, use, dam or divert fresh water or drain a wetland.

### 1.7.3 Resource Management (National Environmental Standards for Freshwater) 2020

The *National Environmental Standards for Freshwater Regulations 2020* (NES-F) was gazetted on 3 August 2020. The NES-F regulates certain activities that pose risks to freshwater and freshwater ecosystems. Anyone carrying out these activities will need to comply with the standards and in many cases people will need to apply for a resource consent from their regional council.

The standards are designed to:

- protect existing inland and coastal wetlands
- protect urban and rural streams from in-filling
- ensure connectivity of fish habitat (fish passage)
- set minimum requirements for feedlots and other stockholding areas
- improve poor practice intensive winter grazing of forage crops
- restrict further agricultural intensification until the end of 2024

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<sup>2</sup> *Te Mana o te Wai imposes a hierarchy of obligations. This hierarchy means prioritising the health and well-being of water first then the health needs of people (such as drinking water) and the third is the ability of people and communities to provide for their social, economic and cultural well-being. Regional Councils must give effect to this by involving tangata whenua and communities to set out long-term visions in the Regional Policy Statement.*

- limit the discharge of synthetic nitrogen fertiliser to land, and require reporting of fertiliser use.

For freshwater related activities covered by the NES-F, regional rules will not apply unless provided for by Regulation 6 of the standards.

Pursuant to sections 43B and 44A of the Act and Regulation 6 of the NES-F, plan rules may be more stringent than the NES-F.

### 1.7.4 Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

The *National Environmental Standards for Electricity Transmission Activities Regulations 2009* (NES-ETA) were applied nationally from 14 January 2010.

The NES-ETA sets out a national framework of permissions and consent requirements for activities on existing transmission lines. Activities include the operation, maintenance and upgrading of existing lines.

The NES-ETA:

- specifies that electricity transmission activities are permitted, subject to terms and conditions to ensure that these activities do not have significant adverse effects on the environment
- specifies the resource consent requirements for electricity transmission activities that do not meet the terms and conditions for permitted activities.

The NES-ETA only applies to existing high voltage electricity transmission lines. It does not apply to the construction of new transmission lines, nor to substations.

The NES-ETA contains rules that apply to Electricity Transmission Activities and in these cases, the relevant rules in this Plan do not apply. This is indicated in the appropriate place in the rule table in section 7.4 of this Plan.

### 1.7.5 Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

The *National Environmental Standards for Plantation Forestry Regulations 2017* (NES-PF) were published on 3 August 2017 and commenced on 1 May 2018. The NES-PF aims to maintain or improve the way New Zealand manages the environmental effects of plantation forestry while also increasing the efficiency and certainty of managing plantation forestry activities.

The NES-PF regulations apply to any forest of more than 1 hectare that has been planted specifically for commercial purposes and harvesting. It does not apply to trees grown for fruit, nut crops, shelter belts, or nurseries.

Eight core plantation forestry activities are covered, these being:

- afforestation (planting new forest) (*regulations 8 to 17*);
- pruning and thinning (*relations 18 to 21*);
- earthworks (*regulations 22 to 35*);
- river crossings (*regulations 36 to 49*);
- forestry quarrying (*regulations 50 to 61*);
- harvesting (*regulations 62 to 71*);
- mechanical land preparation (*regulations 72 to 75*); and
- re-planting (*regulations 76 to 81*).

Most forestry activities are permitted by the NES-PF as long as foresters meet specific conditions to prevent significant adverse environmental effects, including dust.

For forestry related activities covered by the NES-PF, regional rules will not apply unless provided for by Regulation 6 of the standards.

Pursuant to sections 43B and 44A of the Act and Regulation 6 of the NES-PF, plan rules may be more stringent than the NES-PF and would therefore prevail over the standard.

## 1.8 Other statutes and regulations

The provisions of the Plan do not replace other legislation, regulations or bylaws relating to fresh water. These may include legislative requirements, regulations or bylaws made by

the New Plymouth, Stratford or South Taranaki District Councils under the *Local Government Act 1974, Health Act 1956, Building Act 1991* or other legislation dealing with fresh water. Those responsible for activities in fresh water should ensure that they comply with all other relevant legislation, regulations or bylaws.

## 1.9 Structure of the Plan

The structure of the Plan is based on the requirements for a regional plan as set out in section 67(1) of the Act.

The Plan is divided into five parts, which contain 10 sections. Part One is the introduction to the Plan and contains background information on the Plan, including its title, purpose, operative date, area of effect and other information. Part One also contains the interpretation of terms used in the Plan.

Parts Two, Three and Four are the critical sections of the Plan. Parts Two and Three contain:

- issues addressed by the Plan;
- objectives adopted in relation to the issues;
- Policies to achieve the objectives;
- general methods to implement the policies;
- an explanation of policies and reasons for choosing methods.

The policies in the Plan are important and serve a number of purposes:

- they contain 'criteria' to guide the exercise of the Taranaki Regional Council's discretion and its decision-making on resource consent applications by identifying the environmental effects of particular concern to the Taranaki Regional Council; and
- they state the Taranaki Regional Council's position on the acceptability or otherwise of those environmental effects; and
- they state general courses of action the Taranaki Regional Council will adopt to address particular effects of particular activities.

Part Two contains issues, objectives, policies and methods that must be considered in assessing the effects of all activities on the environment. This part of the Plan provides an over-arching framework for all of the other activities addressed in the Plan.

Part Two A sets out transitional provisions from the NPS for Freshwater 2011 and NPS-FM 2020 that must be considered in assessing the effects of activities that discharge contaminants into fresh water, or onto or into land in circumstances that may result in the contaminant entering fresh water, or take, use, dam or divert fresh water or drain a wetland on the environment.

Part Three contains issues, objectives, policies and methods that relate to specific activities.

Part Four contains regional rules. Rules control activities relating to fresh water, such as taking, use, damming and diversion of surface water, discharges of contaminants to land or water, activities in groundwater, use of river and lake beds, land drainage, and activities in wetlands. Rules set out standards, terms or conditions for the activity, in order to avoid, remedy or mitigate the adverse effects on the environment. They also set out whether activities are permitted without the need for further consent from the Taranaki Regional Council or require an application to be made to the Taranaki Regional Council for consent.

The regional rules are divided into seven groupings which apply within the Taranaki region **except** the coastal marine area (activities in the coastal marine area are dealt with in the Regional Coastal Plan for Taranaki). The seven groupings of rules cover the following areas:

- Hangatahua (Stony) River catchment;
- taking, use, damming and diversion of surface water;
- discharge of contaminants to land and water;
- groundwater;
- uses of river and lake beds;
- land drainage; and
- wetlands.

The rules are closely linked to the policies which provide guidance on resource consent decisions.

**Advisory note:** In general, rules within this Plan will not address freshwater use and development activities that are regulated by NESs unless Section 43B(2) of the Act applies. Several rules in this Plan have been assessed as prevailing over NES-PF regulations and these rules will continue to apply.

This Plan has further been reviewed to comply with relevant provisions of the NPS-FM 2020 and relevant NESs. Many rules have been assessed as prevailing in full or in part over NESs regulations and these rules (and/or relevant standards, terms and conditions) will continue to apply. Further information is provided in Section 7 [Regional Rules] of this Plan.

When no rules apply to an activity, the Taranaki Regional Council may use other methods to achieve the objectives and implement the Policies in the Plan. These methods are listed in Parts Two and Three after the policies.

Part Five contains the other administrative matters and consists of three sections, Sections 8, 9 and 10.

Section 8 sets out the information to be submitted with an application for a resource consent. In addition, Section 8 explains the requirements for an assessment of environmental effects and the circumstances in which the Taranaki Regional Council may require further information relating to an application for a resource consent.

Section 9 sets out the circumstances in which a financial contribution may be required, the method for calculating the amount of that contribution and the general purposes for which the contribution may be used.

Section 10 sets out administrative procedures for dealing with cross-boundary issues, monitoring the effectiveness of the Plan, and for reviewing the Plan.

Appendices are included at the end of the Plan. These provide detailed information to assist in the implementation of the Plan.



## 2 Definitions

This section provides the meanings of words used in the Plan and in the Act. When a word is followed by an asterisk [\*], the meaning which follows is the meaning provided in the interpretation section [section 2] of the Act. In the case of any inconsistency, the statutory definition prevails.

**Act** means the Resource Management Act 1991.

**Acceptable** means that which is acceptable in any given situation as determined by the Taranaki Regional Council or its officers acting under delegated authority.

**Accretion** means the gradual build up of deposited material (sediment, gravel etc) on a river or stream bed.

**Aerobic treatment** means the breakdown of organic matter by aerobic micro-organisms in the presence of free or dissolved oxygen.

**Agrichemicals** means substances intended by the manufacturer, distributor, vendor, or discharger to cause or promote or contribute to or facilitate any of the following effects:

- (a) the control of plant growth (other than primarily as a fertiliser or soil conditioner) by the use of substances such as but not restricted to the categories of herbicides, algaecides, defoliant, or fruit-setting hormones;
- (b) the control of bacteria, protozoa, fungi and viruses, by the use of substances such as but not restricted to the categories bactericides, fungicides, or viricides; or
- (c) the control of vertebrates and invertebrates, by the use of substances such as but not restricted to the categories nematocides, miticides, acaricides, arachnicides, molluscicides, insecticides, or other pesticides.

**Amenity values\*** means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

**Aquifer** means a permeable water-bearing geological formation through which water moves under natural conditions and which yields water to wells at a sufficient rate to be a practical source of water supply.

**Bank** means:

- (a) in the case of rivers with entrenched channels (ie, most Taranaki eastern hill country rivers and entrenched sections of volcanic ring plain rivers), the area of land which extends from the channel upwards to the point at which there is an initial significant topographic break in the slope above the river;
- (b) in the case of sections of braided river (eg, parts of the Hangatahua (Stony) River), where the active bed migrates within a wider channel, the area of land between the outer limits of shingle or boulder deposits and the edge of the adjacent river escarpment; and
- (c) in the case of rivers lacking noticeable entrenchment (eg, small streams and tributaries), the area of land determined to be the bank based on a site-specific assessment by the Taranaki Regional Council or its officers.

**Bed\*** means:

- (a) in relation to any river, .... the space of land which the waters of the river cover at its fullest flow without overtopping its banks;
- (b) in relation to any lake, except a lake controlled by artificial means, .... the space of land which the waters of the lake cover at its highest level without exceeding its margin; and
- (c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.

The bed of a river includes both banks and is therefore the area of land between the landward edge of the river banks.

**Best practicable option\*** in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to:

- (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and
- (b) the financial implications, and the effects on the environment, of that option when compared with other options; and
- (c) the current state of technical knowledge and the likelihood that the option can be successfully applied.

**Biochemical oxygen demand (BOD)** is a measure of the amount of oxygen consumed during the decomposition of organic matter in water.

**Bore** means a hole drilled into the ground and completed for the abstraction of water or hydrocarbons to a depth of greater than 20 metres below the ground surface. Refer also to definition of Well.

**Bore completion log** means a prescribed form containing the following information:

- (a) owner or occupier's name and driller's name;
- (b) location;
- (c) date and methods of drilling;
- (d) lithological log;
- (e) depth and diameter of bore casings;
- (f) material, diameter, mesh size and length of screens;
- (g) aquifer observations and standing water-level;
- (h) pump capacity and type; and
- (i) data from any bore testing.

**Coastal marine area\*** means the foreshore, seabed, and coastal water, and the air space above the water:

- (a) of which the seaward boundary is the outer limits of the territorial sea;
- (b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of:
  - (i) one kilometre upstream from the mouth of the river; or
  - (ii) the point upstream that is calculated by multiplying the width of the river mouth by 5.

**Conditions\***, in relation to plans and resource consents, includes terms, standards, restrictions, and prohibitions.

**Confined aquifer** means when an impermeable formation, such as clay, overlies an aquifer so that air and water are no longer in contact and the pressure is no longer equal to atmospheric pressure. Water in a well will stand at a different level to the water-table.

**Consent authority\*** means the Minister of Conservation, a regional council, a territorial authority, or a local authority that is both a regional council and a territorial authority, whose permission is required to carry out an activity for which a resource consent is required under the Act.

**Conspicuous change in visual clarity** means a decrease in water clarity of more than 50%, as determined using the standard black disc measure. Minor, short-term exceedances of this standard will be acceptable, provided that they do not cause significant adverse effects on aquatic life or instream habitat.

**Constructed wetland** means an artificial permanently or intermittently wet treatment area that supports an ecosystem of plants that are suited to wet conditions.

**Contaminant\*** includes any substance (including gases, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat:

- (a) when discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or
- (b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.

**Controlled activity\*** means an activity which:

- (a) is provided for, as a controlled activity, by a rule in a plan or proposed plan; and
- (b) complies with standards and terms specified in a plan or proposed plan for such activities; and
- (c) is assessed according to matters the consent authority has reserved control over in the plan or proposed plan; and
- (d) is allowed only if a resource consent is obtained in respect of that activity.

**Dangerous** means dangerous, as determined by a qualified officer or officers of the Taranaki Regional Council or its agents, having regard to the circumstances of the discharge and standard reference data for determining the levels of discharge that will

prove dangerous in those circumstances, and to the degree of danger that is created in those circumstances.

**Debris** means an accumulation of material, not including material that is part of a river or lake bed, that may be obstructing a river channel or causing a nuisance and may include tree trunks and branches, parts of structures and dead stock.

**Deposition** means the entrapment and/or settling out of sediment in a particular location, leading to accretion.

**Diadromous** means a species that lives in both fresh and salt water.

**Diffuse source discharge** means a discharge that does not have a particular point of origin or is not introduced into receiving waters from a specific outlet, but arises from a wide or diffuse area.

**Dilution** means availability of river water to sufficiently dilute the volume of discharge.

**Discharge\*** includes emit, deposit and allow to escape.

**Discretionary activity\*** means an activity:

- (a) which is provided for, as a discretionary activity by a rule in a plan or proposed plan; and
- (b) which is allowed only if a resource consent is obtained in respect of that activity; and
- (c) which may have standards and terms specified in a plan or proposed plan; and
- (d) in respect of which the consent authority may restrict the exercise of its discretion to those matters specified in a plan or proposed plan for that activity.

**Disturbance** includes excavation, dredging, drilling and tunnelling.

**Drain** in relation to discharge of farm dairy effluent, means an artificial excavation used for the purpose of conveying treated farm dairy discharges to a river or stream.

**Drawdown** means the drawdown of static water level in a well due to the influence of pumping.

**Ecosystem**<sup>3</sup> means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

**Ecotype** means a group of streams with similar ecological characteristics, whose ecosystem health can be assessed using a common set of environmental indicators and criteria.

**Ecotyping** means the process of defining and classifying water bodies into ecotypes.

**Effect\*** includes:

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (c) any past, present or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects, regardless of the scale, intensity, duration or frequency of the effect; and also includes:
- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact.

**Effluent** means liquid waste including slurries.

**Environment\*** includes:

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in (a) to (c) of this definition or which are affected by those matters.

**Environmental results anticipated** means the expected or foreseen result or outcome on the environment as a consequence of implementing the policy or policies and methods of implementation. It provides a means of assessing the success of the objectives, policies and methods, but may not always be measurable or achievable within the operative life of the plan.

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<sup>3</sup> *United Nations Convention on Biological Diversity, 1992.*

**Erosion** means the processes of wearing away of the land surface (including soil, regolith or bedrock) by natural agents and the transport of the derived material.

**Esplanade reserve\*** means a reserve within the meaning of the Reserves Act 1977:

- (a) which is either:
  - (i) a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239 of the Resource Management Act 1991; or
  - (ii) a reserve vested in the Crown or a regional council under section 237D of the Resource Management Act 1991; and
- (b) which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229 of the Resource Management Act 1991.

**Esplanade strip\*** means a strip of land created by the registration of an instrument in accordance with section 232 of the Resource Management Act 1991 for a purpose or purposes set out in section 229 of the Resource Management Act 1991.

**Excavation** includes digging of any type in the bed of a lake or river.

**Extraction** means the removal of material from the bed of a lake or river.

**Farm dairy** includes every area of the dairy cow (or goat) milking process and includes covered and uncovered areas where cows reside for longer than five minutes for the purpose of milking (including a stand-off pad or yard) but does not include raceways.

**Farm dairy effluent** means contaminated waste which is predominantly composed of organic matter (dung and urine) and water, applied, deposited or used in the farm dairy.

**Fertiliser** means a substance used, or suitable for, sustaining or increasing the growth, productivity, or quality of plants by its application to those plants or the soil in which they grow or will grow; and includes a substance imported, manufactured, or being manufactured, with the intention that it be so.

**Financial contribution** means a contribution of:

- (a) money; or
- (b) land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or
- (c) a combination of money and land.

**Fresh water\*** means all water except coastal water and geothermal water.

**Habitat<sup>4</sup>** means the place or type of site where an organism or population naturally occurs.

**Hapu<sup>5</sup>** means sub-tribe, usually a number of whānau (families) with a common ancestor.

**Hazardous substance<sup>6</sup>** means, unless expressly provided otherwise by regulations, any substance:

- (a) with one or more of the following intrinsic properties:
  - (iii) explosiveness;
  - (iv) flammability;
  - (v) a capacity to oxidise;
  - (vi) corrosiveness;
  - (vii) toxicity (including chronic toxicity);
  - (viii) ecotoxicity, with or without bioaccumulation; or
- (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition.

**Instream values** are those uses or values of rivers and streams that are derived from within the river system itself and include amenity values, cultural and spiritual values of Tangata Whenua, and values associated with fresh water ecology and recreational, scenic, aesthetic and educational uses/values.

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<sup>4</sup> *United Nations Convention on Biological Diversity, 1992.*

<sup>5</sup> *Ministry for the Environment, 1991, Consultation with Tangata Whenua.*

<sup>6</sup> *Hazardous Substances and New Organisms Act 1996*

**Integrated management** means managing (ie, identifying, prioritising and acting on) the use, development and protection of natural and physical resources as a whole. Integrated management involves three interrelated parts:

- (a) a recognition by management agencies that natural and physical resources exist as parts of complex and interconnected social and biophysical systems, where effects on one part of a system may affect other parts of the system and that these effects may occur immediately, may be delayed or may be cumulative; and
- (b) the integration of management systems between agencies so that the various roles and responsibilities of those agencies are clearly identified and combined or coordinated to achieve consistency of purpose; and
- (c) the integration of management systems within agencies to ensure that other legislative or administrative actions are consistent with promoting sustainable management of natural and physical resources.

**Interference** means the condition occurring when the area of influence of a well or bore comes into contact with or overlaps that of a neighbouring well or bore, as when two wells or bores are pumping from the same aquifer or are located near each other.

**Intrinsic values\*** in relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including:

- (a) their biological and genetic diversity; and
- (b) the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience.

**Issue** means a matter of concern to the region's community regarding activities affecting some aspect of natural and physical resources and the environment of the region.

**Iwi** means tribe or grouping of Maori people descended from a common ancestor(s).

**Kaitiakitanga** means the exercise of guardianship by the Tangata Whenua of an area in accordance with Tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.

**Lake\*** means a body of fresh water which is entirely or nearly surrounded by land.

**Land\*** includes land covered by water and the air space above land.

**Landfill** means a waste disposal site of any size used for the controlled deposit of solid wastes onto or into land.

**Local authority\*** means a regional council or territorial authority.

**Mahinga kai** means areas from which food resources are gathered and/or propagated.

**Maintenance** of a structure means activities, including reconstruction and alteration of a structure and the clearance or removal of sand, gravel, aggregate, rock or other debris from in, on, or around the immediate vicinity of a structure, which:

- (a) are for the purpose of keeping a structure in good repair and working order; and
- (b) do not result in any increase in the area of river and lake bed occupied by the structure; and
- (c) do not change the nature, scale or intensity of any effects of the structure on the environment (except to reduce any adverse effects or increase any positive effects).

**Mana whenua\*** means customary authority exercised by an Iwi or hapu in an identified area.

**Mauri/Mouri** means essential life force or principle, a metaphysical quality inherent in all things, both animate and inanimate.

**MCI** means macroinvertebrate community index, a measure of the health of an aquatic ecosystem.

**Method of implementation** means a specific action, procedure, programme or technique adopted to carry out a policy.

**Natural and physical resources\*** includes land, water, air, soil, minerals, and energy, all forms of Plants and animals (whether native to New Zealand or introduced), and all structures.

**Natural character** includes a range of qualities and features, which have been created and sustained by nature as distinct from those which have been constructed by people. The qualities and features which make up natural character may be ecological, physical, spiritual, cultural and aesthetic in nature and include modified and managed environments.

**Natural hazard\*** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslide,

subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

**Non-complying activity\*** means an activity which:

- (a) is provided for, as a non-complying activity, by a rule in a plan or proposed plan; or
  - (b) contravenes a rule in a plan or proposed plan;
- and is allowed only if a resource consent is obtained in respect of the activity.

**Noxious** means noxious, as determined by a qualified officer or officers of the Taranaki Regional Council or its agents, having regard to the circumstances of the discharge and standard reference data for determining the levels of discharge that will prove noxious in those circumstances, and to the degree of noxiousness that is created in those circumstances.

**NTU** means nephelometric turbidity unit, a measure of the turbidity of water.

**Objective** means a statement of a desired and specific environmental outcome.

**Offensive or objectionable** means offensive or objectionable as determined by a qualified officer or officers of the Taranaki Regional Council, or its agents, whose capabilities have been assessed by a recognised testing authority to be appropriate for determining what is offensive and objectionable.

**On-site domestic wastewater treatment system** means a system collecting or treating domestic wastewater generated on the property and disposing of that wastewater onto or into land within the property boundaries of the subject property.

**Outfall structure**, where referred to in a regional rule, includes any outfall structure (for discharging water or liquid wastes), but excludes any culvert, other than culverts on streams that are piped as part of an urban stormwater system and have no significant diadromous fish populations.

**Permitted activity\*** means an activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions specified in the plan.

**Piezometer** means a stand-pipe in the ground constructed for monitoring purposes only.

**Pipeline** means a pipeline constructed or used to convey any matter or substance; and includes all necessary incidental equipment, including compressor stations.

**Plan\*** means a regional plan or district plan (where, in this document, it is spelt with a capital 'P', it refers to this Regional Fresh Water Plan for Taranaki).

**Plantation forest or plantation forestry** means a forest deliberately established for commercial purposes as defined in the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017*.

**Point-source discharge** means a discharge that occurs at an identifiable location.

**Policy** means a specific statement that guides or directs decision making. A policy indicates a commitment to a general course of action in working towards the achievement of an objective.

**Poultry effluent** means the solid and liquid waste material produced from a poultry farming operation, but excludes poultry washdown water and that proportion of the waste that is applied to land as a fertiliser.

**Poultry washdown water** means the water and contaminants that are discharged as a result of cleaning operations in poultry sheds following the removal off the subject property of the majority of the litter material contained in the shed.

**Primary production** means the use and development of land for the production of primary products including agricultural, horticultural, pastoral and forestry products.

**Production land\*:**

- (a) means any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products);
  - (b) does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals;
- and "production" has a corresponding meaning.

**Prohibited activity\*** means an activity which a plan expressly prohibits and describes an activity for which no resource consent shall be granted.

**Proposed plan\*** means a plan or change to a plan that has been notified under clause 5 of the First Schedule but has not become operative in terms of clause 20 of the First Schedule; but does not include a plan or change originally requested by a person other than a local authority or a Minister of the Crown.

**Public amenities** means those amenity values enjoyed by the public at large and include public recreational opportunities, public visual amenities, public reserves, and riparian margins.

**Reasonable mixing** in relation to a permitted activity means a zone seven times the width of the channel at the point of discharge.

**Recharge** means the addition of water from other sources to an aquifer, eg, seepage from rivers, percolation of rainfall.

**Region\*** means in relation to a regional council, the region of the regional council as determined in accordance with the Local Government Act 1974 (in this document, 'Region' refers to the region covered by the Taranaki Regional Council, unless otherwise stated).

**Regional Coastal Plan\*** means an operative plan approved by the Minister of Conservation under the First Schedule, and includes all operative changes to such a plan (whether arising from a review or otherwise).

**Regional Council\*** has the same meaning as in the Local Government Act 1974.

**Regional Plan\*** means an operative plan (including a Regional Coastal Plan) approved by a regional council or the Minister of Conservation under the First Schedule of the Act; and includes all operative changes to such a plan (whether arising from a review or otherwise).

**Regional Policy Statement for Taranaki** means the Regional Policy Statement for Taranaki 1994, prepared and approved by the Taranaki Regional Council.

**Regional rule\*** means a rule made as part of a regional plan or proposed regional plan in accordance with section 68 of the Act.

**Reticulation** means the system of pipes which conveys liquid. This can be water reticulation for water supply or sewage reticulation of effluent.

**Ring plain** means the plain surrounding Mt Taranaki/Egmont.

**Riparian management** means the collection of activities and practices that can be applied to the riparian margin in order to improve the natural characteristics and functioning of the whole riparian zone (which includes the waterway itself as well as the riparian margins).

**Riparian margin** means a strip of land of varying width adjacent to a waterway and which contributes or may contribute to the maintenance and enhancement of the natural functioning, quality and character of the waterway and its margins.

**River\*** means a continually or intermittently flowing body of fresh water and includes a stream and modified watercourse, but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

**Road\*** has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Transit New Zealand Act 1989.

**Rohe<sup>7</sup>** means a territory or boundary which defines the area within which a Tangata Whenua group claims traditional association and mana whenua.

**Sewage** means liquid waste matter which is carried off by sewers (excluding stormwater).

**Significant adverse effect** means an adverse effect that is of a type or of a magnitude that is greater than the level of effects that would normally result from the ordinary daily functioning of an activity.

**Soil disturbance activities** include earthworks associated with roading and tracking, formation of skid or landing sites, subdivision, pipeline trenching and land contouring, but do not include land disturbed for cultivation, cropping and harvesting (including logging), or industrial and trade premises (covered under rule 23).

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<sup>7</sup> *Parliamentary Commissioner for the Environment, 1991, Proposed guidelines for local authority consultation with Tangata Whenua.*

**Standards and terms** means statements of the measurements, times, rates or other information that are used in a regional rule to determine whether an activity comes within a rule.

**Static water level or Standing water level (SWL)** means the water level in a well or unconfined aquifer when no water is being removed from the aquifer either by pumping or free flow.

**Stormwater** means rainwater which falls or lies on land.

**Stormwater drain** means a drain primarily for the reception and discharge of stormwater.

**Structure\*** means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.

**Sufficient** means that which is sufficient as determined by the Taranaki Regional Council or relevant territorial authority or their officers acting under delegated authority.

**Sustainable management\*** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

**Tangata Whenua\*** in relation to a particular area, means the Iwi, or hapu, that holds mana whenua over the area.

**Taonga**<sup>8</sup> means treasure, property; taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be

things that cannot be seen or touched. Included for example, are Te Reo Maori (the Maori language), wāhi tapu, waterways, fishing grounds and mountains.

**Te Reo Maori** means the Maori language.

**Territorial authority**<sup>9</sup> means a city council or a district council.

**Tikanga Maori\*** means Maori customary values and practices.

**Treated farm dairy, piggery or poultry effluent** means effluent which has undergone either anaerobic and/or aerobic treatment for a period sufficient such that urea is substantially absent and substantial settling of suspended solids has occurred.

**Treaty of Waitangi (Te Tiriti o Waitangi)\*** has the same meaning as the word 'Treaty' as defined in section 2 of the Treaty of Waitangi Act 1975.

**Unconfined** means water which is freely connected to the atmosphere and which is free to rise and fall in the saturated zone, or water of an unconfined aquifer, or water under water table conditions.

**Wāhi tapu** means places or things which are sacred or spiritually endowed (for a further discussion of wāhi tapu, refer to Section 4.4.4 of Part Two of the Regional Policy Statement for Taranaki, 1994).

**Wairua** means spiritual essence.

**Water\*:**

- (a) Means water in all its physical forms whether flowing or not and whether over or under the ground;
- (b) Includes fresh water, coastal water, and geothermal water;
- (c) Does not include water in any form while in any pipe, tank, or cistern.

**Water body\*** means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

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<sup>8</sup> *Parliamentary Commissioner for the Environment, 1991, Proposed guidelines for local authority consultation with Tangata Whenua.*

<sup>9</sup> *Local Government Act 1974, section 2(1).*

**Water table** means the layer of unconfined water.

**Well** means a hole dug, augered or drilled, tapping the water-table or springs to a depth of 20 metres or less below the ground surface. Refer also to definition of Bore.

**Wetland\*** includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

**Working day\*** means any day except:

- (a) a Saturday, a Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day; and
- (b) a day in the period commencing with the 20th day of December in any year and ending with the 15th day of January in the following year.

**Yield** means the volume of water per unit of time able to be abstracted from a bore or well.



Part Two  
Fresh water  
management framework



## 3 Natural, ecological and amenity values and public access

### 3.1 Issue: Protection and enhancement of the natural, ecological and amenity values of fresh water

In its management of fresh water the Taranaki Regional Council must:

- sustain the potential of fresh water resources to meet the reasonably foreseeable needs of future generations;
- safeguard the life-supporting capacity of fresh water and fresh water ecosystems;
- avoid, remedy or mitigate any adverse effects of activities on the environment.

The preservation of the natural character of rivers, lakes and wetlands and their margins and the protection of them from inappropriate use and development is a matter of national importance that must be recognised and provided for in the management of fresh water. The Taranaki Regional Council must also recognise and provide for the protection from inappropriate subdivision, use and development, of rivers, lakes and wetlands that are outstanding natural features or parts of outstanding landscapes; recognise and provide for the protection of significant areas of indigenous fresh water vegetation and significant fresh water habitats of indigenous fauna; recognise and provide for the maintenance and enhancement of indigenous fauna; and recognise and provide for the maintenance and enhancement of public access to and along lakes and rivers.

In addition, in its management of fresh water the Taranaki Regional Council must have particular regard to the maintenance and enhancement of amenity values, the intrinsic values of ecosystems, the maintenance and enhancement of the quality of the environment, and the protection of the habitat of trout and salmon.

The natural character of many rivers, lakes and wetlands in Taranaki has been modified, to varying degrees, by human activities. Those water bodies with the greatest degree of remnant natural character have generally been least modified. In Taranaki, this applies to the upper reaches of ring plain streams, the forested headwaters of eastern hill

country rivers, and wetlands within Egmont National Park. Rivers, lakes and wetlands which still have a high degree of natural character are more likely to be significantly affected by activities than those that have already been substantially modified.

Taranaki's rivers, lakes and wetlands support a range of fresh water habitats and ecosystems, including a diversity of plants and animals that live within them. Many uses of fresh water such as water supply, angling and food gathering (eg, eels, inanga and watercress) are dependent upon healthy habitats and ecosystems and some habitats support species that are rare or threatened. There is therefore a need to provide for the protection of the habitat of eel, whitebait, freshwater crayfish, lamprey eel and other indigenous fishes.

Many of Taranaki's rivers, lakes and wetlands are also valued for a variety of amenity values and recreational uses. These include angling, whitebaiting, eeling, swimming, canoeing, rowing, rafting, hunting, outdoor education and training, and aesthetic and scenic appreciation. For activities such as walking, tramping and picnicking, these water bodies add to the recreational experience.

Adverse effects on these natural and amenity values can arise from the taking and use of surface water and groundwater, discharges of contaminants to land and water, the placement of structures, the removal of sand and gravel, channel realignment, reclamation and land drainage.

The principal issues in relation to the protection and enhancement of the natural, ecological and amenity values of fresh water are:

#### **Adverse effects of use and development**

The natural character of rivers, lakes and wetlands and their margins, the life-supporting capacity and intrinsic values of fresh water ecosystems and the amenity values of fresh water can be adversely affected by the use and development of fresh water and the beds of rivers and lakes.

## Protection and enhancement of natural, ecological and amenity values

People and communities in Taranaki wish to protect, maintain and enhance as far as practicable, the natural, ecological and amenity values of rivers, lakes and wetlands, including water levels and flows, water quality and riparian margins.

### Objectives

- OBJ 3.1.1 To protect the waters of the Hangatahua (Stony) River catchment for regionally important fisheries and angling features, scenic characteristics and recreational features and cultural, historical and educational features.
- OBJ 3.1.2 To maintain and enhance the natural, ecological and amenity values of rivers and streams of value in the region, and regionally significant wetlands.
- OBJ 3.1.3 To protect the natural character of all of Taranaki's rivers, lakes and wetlands from inappropriate use and development and the adverse effects of appropriate use and development.
- OBJ 3.1.4 To safeguard the life-supporting capacity of water and aquatic ecosystems from the adverse effects of the use and development of fresh water.
- OBJ 3.1.5 To maintain and enhance amenity values and the quality of the environment of Taranaki's rivers, lakes and wetlands and their margins.
- OBJ 3.1.6 To manage the fresh water resources of the Taranaki region in a way that promotes the sustainable management of natural and physical resources, by recognising and providing for the differences in and between rivers, streams, lakes and wetlands in the region.

### Policies

- POL 3.1.1 The quantity, level and rate of flow of water and the quality of water within the Hangatahua (Stony) River catchment will be retained, as far as possible, in their natural state.

- POL 3.1.2 The adverse effects of activities on the natural character, ecological and amenity values of all rivers, lakes and wetlands and their margins in the Taranaki region will be avoided, remedied or mitigated, having regard to:
- (a) the topography and form of the river, lake or wetland;
  - (b) the natural flow characteristics, hydrological functions and natural water levels and their fluctuations in rivers, lakes and wetlands;
  - (c) ecosystems, habitats and species;
  - (d) existing water quality and the need to maintain or enhance that quality;
  - (e) recreational, fishery, aesthetic and scenic values.
- POL 3.1.3 The life-supporting capacity of fresh water will be safeguarded and the adverse effects of activities on aquatic habitats and fresh water ecosystems will be avoided, remedied or mitigated having regard to:
- (a) the maintenance of biological and physical processes;
  - (b) the existing and potential productivity, diversity, importance and variability of aquatic ecosystems;
  - (c) habitat characteristics, including habitats for aquatic species at different stages of their life cycle, habitats of threatened, vulnerable or rare species, and habitats for terrestrial life that use the water body;
  - (d) the significance of indigenous flora and fauna, including the habitat of indigenous fish;
  - (e) the habitat of trout.
- POL 3.1.4 The high natural, ecological and amenity values of those rivers and streams listed in Appendix IA will be maintained and enhanced as far as practicable. Adverse effects of activities on these values will be avoided as far as practicable, or remedied or mitigated.
- POL 3.1.5 The natural, ecological and amenity values and life-supporting capacity of those rivers and streams listed in Appendix IB will be enhanced as far as practicable.
- POL 3.1.6 The natural, ecological and amenity values of those wetlands listed in Appendix IIA will be preserved and protected.

POL The natural, ecological and amenity values of those wetlands listed in  
3.1.7 Appendix IIB will be protected and enhanced, as far as practicable.

### Explanation

Objective 3.1.1 recognises the protection of the waters of the Hangatahau (Stony) River catchment provided by the provisions of the former Local Water Conservation (Stony (Hangatahau) River) Notice 1985. This Notice protected the waters of the Hangatahau (Stony) River for their outstanding natural characteristics and features, including regionally important fisheries and angling values, scenic, recreational, historical and educational values, and its special importance to Tangata Whenua. The Hangatahau (Stony) River Local Water Conservation Notice is now replaced by the provisions of this Plan. Because of continuing community support for the ongoing protection of the Hangatahau (Stony) River, it is appropriate that specific provision for the protection of the waters of the Hangatahau (Stony) River continue to be made in this Plan.

Objective 3.1.2 gives effect to policies contained in the Regional Policy Statement for Taranaki regarding the protection of rivers and streams of value in the region. The rivers, streams and wetlands referred to in the objective are listed in Appendices I and II of the Plan. The purpose of the objective is to ensure that the natural, ecological and amenity values of these rivers, streams and wetlands are maintained and enhanced.

Objective 3.1.3 has been adopted to give effect to the requirement in section 6(a) of the Act to recognise and provide for the preservation of the natural character of rivers, lakes and wetlands and their margins, and their protection from inappropriate use and development. Natural character includes a range of qualities and features which have been created and sustained by nature as distinct from those which have been constructed by people. The qualities and features which make up natural character may be ecological, physical, spiritual, cultural and aesthetic in nature and include modified and managed environments. The degree of natural character and what is appropriate or inappropriate development will vary from place to place. Some rivers, lakes and wetlands and their margins in Taranaki have a higher degree of natural character than others.

Objective 3.1.3 is consistent with the Regional Policy Statement for Taranaki, which provides for the protection of regionally significant natural features and landscapes

associated with Taranaki's rivers and lakes and their margins. The objective seeks to avoid, remedy or mitigate the loss of natural character resulting from activities in fresh water.

Objective 3.1.4 gives effect to section 5(2) of the Act to safeguard the life-supporting capacity of water and aquatic ecosystems. The purpose of this objective is to ensure that water bodies in Taranaki continue to support aquatic life and maintain essential biological and physical processes.

Objective 3.1.5 has been adopted to give effect to sections 7(c) and (f) of the Act. The objective seeks to maintain and enhance the amenity values associated with fresh water, and the quality of the environment.

Objective 3.1.6 recognises the different management approaches that may be adopted for rivers and streams depending on their characteristics and locations.

Policy 3.1.1 gives effect to Objective 3.1.1 to protect the waters of the Hangatahau (Stony) River for the purposes identified in Objective 3.1.1. The policy is to retain as far as possible in their natural state, the quantities levels and rates of flow of water and the quality of water within the catchment. This policy continues the protection of the former Local Water Conservation Notice for the Hangatahau (Stony) River. In addition, other policies in this section may apply to activities within the Hangatahau (Stony) River catchment. A map outlining the boundary of the catchment can be found in Appendix IV.

Policy 3.1.2 gives effect to Objectives 3.1.2 and 3.1.3 by providing for the protection of the natural character of rivers, lakes and wetlands and their margins from the adverse effects of activities. Upper catchment ringplain and forested eastern hill country streams or rivers are generally characterised by high water quality, high MCI scores, and fish communities which contain a higher proportion of migrating fish that have good climbing abilities (such as koaro and longfinned eels). Mid catchment ringplain rivers and streams usually have water that displays more nutrient enrichment, mid-range MCI scores and a diverse fish community including some species with climbing abilities. Land uses in these river and stream catchments are generally more intensive and there is less riparian vegetation. In lower catchment ringplain streams some catchments have elevated nutrient levels, and there are generally lower MCI scores, but there is the potential for high fish diversity including those with poor climbing abilities. Generally in

these types of stream and river catchments intensive land use occurs and there is less riparian vegetation. In lower catchment hill country streams and rivers there is generally discolouration due to high sediment loads, and low MCI scores. Policy 3.1.2 lists the features of rivers, lakes and wetlands which contribute to their natural character. The policy allows the differences in the features (as discussed above) to be taken in to account during decision making. Further criteria in relation to ecosystems, habitats and species are contained in Policy 3.1.3.

Policy 3.1.3 gives effect to Objective 3.1.4 to safeguard the life-supporting capacity of fresh water and aquatic ecosystems. The policy lists those matters that will be had regard to in safeguarding the life-supporting capacity and avoiding, remedying or mitigating adverse effects on aquatic habitats and ecosystems. Consideration will be given to the maintenance of biological and physical processes within the water body and to the characteristics of aquatic ecosystems, including their productivity and diversity. The effects on habitat characteristics, such as habitat for feeding, breeding and sheltering aquatic life, habitats of threatened, vulnerable or rare species, or for terrestrial life (for example wading birds and water fowl) will also be considered. The significance of indigenous flora and fauna and the habitat of trout are further considerations.

Policy 3.1.4 has been adopted to maintain and enhance the high natural, ecological and amenity values of those rivers and streams listed in Appendix IA. While all water bodies will contain natural, ecological and amenity values, those water bodies listed in Appendix IA have been recognised as being particularly highly valued, for example, for their recreational, fishery, scenic or aesthetic values or for their water quality, levels or flows. These values can be adversely affected by activities such as the taking, use, damming and diversion of water, discharges of contaminants to land and water and activities on the bed or margin of lakes or rivers. Policy 3.1.4 is to ensure that when the effects of these activities are being considered, priority is given to avoiding as far as practicable, adverse effects on the identified values. Where adverse effects are considered to be unavoidable, the adverse effects must be remedied or mitigated. Appendix IA lists some of the values to be considered under Policy 3.1.4, but it is not an exhaustive list of all such values and additional values may also be considered.

Policy 3.1.5 has been adopted to enhance the natural, ecological and amenity values and life-supporting capacity of those rivers and streams listed in Appendix IB. The water bodies listed in Appendix IB are those in which the life-supporting capacity is under

pressure or in which there is relatively poor water quality which has led to a reduction in natural and amenity values. Problems may be related to diffuse source runoff and limited assimilative capacity in the water body, multiple point-source discharges throughout the catchment or within a particular reach, water abstraction pressures, or a combination of these and other activities or characteristics of the catchment itself. Particular attention will be given to enhancing the life-supporting capacity and the natural, ecological and amenity values of these water bodies.

Policy 3.1.6 has been adopted to preserve and protect the high natural, ecological and amenity values of those wetlands listed in Appendix IIA. These wetlands have been recognised as being of regional and national significance and are currently protected under other legislation. Because of the importance and significance of these wetlands and their current protected status, it is appropriate for the Taranaki Regional Council to prohibit in this Plan, certain activities which would adversely affect the natural, ecological and amenity values of these wetlands.

Policy 3.1.7 has been adopted to protect and enhance the natural, ecological and amenity values of those wetlands listed in Appendix IIB. The wetlands listed in Appendix IIB are judged to be regionally significant because of their high natural, ecological and amenity values. They have been evaluated on the basis of criteria for wetland protection contained in the Regional Policy Statement for Taranaki. The wetlands listed in Appendix IIB are located on privately owned land but at the date of public notification of this Plan, had no formal legal protection equivalent to those in Appendix IIA.

## Methods of implementation

The Taranaki Regional Council will use the following methods to implement Policies 3.1.1 to 3.1.7:

- METH 1 **Apply regional rules** contained in **Section 7** of this Plan to protect the waters of the Hangatahua (Stony) River catchment.
- METH 2 **Apply regional rules** contained in **Section 7** of this Plan to protect and enhance the natural, ecological and amenity values of fresh water.
- METH 3 **Promote** the protection, maintenance and enhancement of the natural, ecological and amenity values of rivers, lakes, wetlands and their margins

through **education**, the provision of **information and advice** and through implementation of the Taranaki Regional Council's **sustainable land management programme** and **riparian management strategy**.

- METH 4 **Evaluate** the use of **ecotyping** including the use of macroinvertebrate community index data as a means of classifying rivers for targeting of management objectives.
- METH 5 **Investigate** the targeting of the **Maketawa Stream catchment** (excluding the Ngatoro Stream above the confluence with the Ngatoro-iti stream), with the objective of obtaining and sustaining a water quality status perceived to be of a quality which matches that of the Hangatahua (Stony) River.
- METH 6 **Advocate to territorial authorities** that objectives, policies and methods be included in **district plans** to avoid, remedy or mitigate the adverse effects of land uses on the natural, ecological and amenity values of rivers, lakes, wetlands and their margins.
- METH 7 **Advocate to relevant agencies**, the use of **other legislation** or mechanisms such as the Conservation Act 1987, the National Parks Act 1980, the Reserves Act 1977, the Queen Elizabeth the Second National Trust Act 1977, the Forest Heritage Fund, and the Taranaki Tree Trust to protect the natural, ecological and amenity values of rivers, lakes, wetlands and their margins.
- METH 8 **Consider** the use of **economic instruments** such as grants and subsidies to assist with the protection and enhancement of the natural, ecological and amenity values of fresh water.
- METH 9 **Monitor and gather information** on the state of fresh water, rivers, lakes and wetlands and their beds, and groundwater resources within the Taranaki region to enable assessment of the effectiveness of the objectives and policies of the Plan.
- METH 10 **Consider** during the five-year review of the Plan the inclusion of additional rivers, streams or reaches, and values in Appendix IA.

## Reasons

Methods 1 and 2 (use of regional rules) have been adopted because regional rules will provide more appropriate levels of control over activities relating to fresh water in accordance with their effects on the environment, than will reliance on sections 13, 14 and 15 of the Act alone. Regional rules are the most effective and efficient means of achieving the objectives and policies to protect the waters of the Hangatahua (Stony) River catchment in their natural state. Regional rules are also an appropriate means of protecting and enhancing the natural, ecological and amenity values of fresh water as part of the sustainable management of fresh water resources. Methods 1 and 2 give effect to all of the policies.

Method 3 outlines voluntary and non-regulatory methods to promote the protection and enhancement of natural, ecological and amenity values. Such methods can help implement the objectives and policies of the Plan by complementing regulatory methods. Method 3 recognises the Taranaki Regional Council's sustainable land management programme, involving the preparation of plans for individual properties, and the riparian management strategy, as a means of implementing the policies.

Method 4 states that the Taranaki Regional Council will consider the use of ecotyping as a means of classifying rivers. Ecotyping is a system of defining and classifying water bodies into ecotypes. The ecotypes are groups of rivers with similar ecological characteristics. It would be possible to establish consistent management objectives for groups of rivers that have the same characteristics. Existing bio-monitoring data collected by the Taranaki Regional Council on characteristics such as water quality, periphyton and invertebrates will be used to assist the evaluation of the use of classification systems such as ecotyping. Method 4 gives effect to Policies 3.1.2 and 3.1.3.

Method 5 continues a commitment made in the Regional Policy Statement for Taranaki, and gives effect to objective 3.1.2. The method recognises that there may be other rivers or streams in Taranaki where it may be possible to achieve a water quality status similar to that of the Hangatahua (Stony) River. Further work during the operative life of the Plan will investigate whether this is possible.

Territorial authorities have functions under section 31 of the Act to control the effects of the use of land. Such effects can adversely affect the natural, ecological and amenity

values of rivers, lakes, wetlands and their margins. By advocating that provisions be included in district plans under Method 6, the Taranaki Regional Council seeks to achieve integrated management of these effects. Method 6 gives effect to Policies 3.1.2 and 3.1.3.

Method 7 recognises the key role played by other agencies such as the Department of Conservation, the Queen Elizabeth the Second National Trust, the Forest Heritage Fund and the Taranaki Tree Trust in protecting and enhancing the natural, ecological and amenity values of rivers, lakes, wetlands and their margins. Method 7 gives effect to Policies 3.1.2-3.1.7.

Method 8 has been adopted to promote the protection and enhancement of the values associated with fresh water in the Taranaki region through the use of economic instruments such as grants and subsidies. Method 8 gives effect to Policies 3.1.2-3.1.7.

Method 9 is to enable the Taranaki Regional Council to better manage the use, development and protection of fresh water resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, while also protecting and enhancing the water bodies. It will also enable the Taranaki Regional Council to establish the effectiveness of the policies and provisions of this Plan, and gives effect to all the policies.

Method 10 recognises that further investigative work by either the Taranaki Regional Council or other organisations may identify other rivers and streams that are of value that should be included in Appendix IA. Further values of the rivers and streams currently listed in Appendix IA may also be identified, and these could be included at the time of review of the Plan.

## Environmental results anticipated

- ER 1 Protection of the waters of the Hangatahua (Stony) River catchment for their fisheries and angling features, scenic characteristics and recreational features and for their cultural, historical and educational features.
- ER 2 Preservation of the natural character of rivers, lakes, wetlands and their margins and protection from inappropriate use and development.

- ER 3 Safeguarding of the life-supporting capacity, aquatic habitat and fresh water ecosystems of Taranaki's rivers, lakes and wetlands.
- ER 4 Maintenance or enhancement of amenity and instream values of rivers, lakes, wetlands and their margins.
- ER 5 Evaluation of targeting of rivers and streams for improvement in water quality.
- ER 6 Maintenance or enhancement of the high natural, ecological and amenity values of the rivers and streams identified in Appendix IA and avoidance of adverse effects on recreational, fishery, aesthetic and scenic values.
- ER 7 Measurable recovery of the life-supporting capacity and natural, ecological and amenity values of rivers and streams identified in Appendix IB.
- ER 8 Protection of the natural, ecological and amenity values of those wetlands identified in Appendix IIA.
- ER 9 Protection and enhancement of the natural, ecological and amenity values of those wetlands identified in Appendix IIB.

## 3.2 Issue: Maintenance and enhancement of public access to and along rivers and lakes

Public access to and along rivers and lakes for recreational and leisure activities and for other uses of fresh water, is considered desirable by many people. The use and development of water resources, and activities on the beds of rivers and lakes can reduce public access.

Under section 6(d) of the Act the Taranaki Regional Council is required to recognise and provide for the maintenance and enhancement of public access to and along rivers and lakes. Policies and methods are needed to address activities which will restrict or prevent public access to rivers and lakes. However, access to rivers and lakes will often be across privately owned land and therefore require the permission of the landowner. In these situations, territorial local authorities may provide for the maintenance and enhancement of public access to rivers and lakes, through appropriate provisions in district plans.

### Objective

OBJ 3.2.1 To maintain and enhance public access to and along rivers and lakes.

### Policies

POL 3.2.1 Public access to and along rivers and lakes will be maintained and enhanced as far as practicable, except where restrictions are necessary to:

- (a) preserve the natural character of rivers and lakes and their margins;
- (b) protect private property rights;
- (c) safeguard ecological or intrinsic attributes of rivers and lakes;
- (d) avoid conflicts between competing uses;
- (e) protect cultural and spiritual values of Tangata Whenua;
- (f) protect human health and safety;
- (g) protect the integrity of river and flood control works;

(h) provide for other exceptional circumstances that are sufficient to justify the restriction, notwithstanding the national importance of maintaining access.

POL 3.2.2 Where public access along land of the Crown or land vested in the Taranaki Regional Council is denied or restricted by use or development of rivers and lakes, acceptable alternative public access may be required to be provided or improved by that person whose activities are responsible for the denial or restriction of existing access.

POL 3.2.3 Provision shall be made, where appropriate and practicable, to improve the ability of the public to reach and use rivers and lakes to which access is limited for any reason, provided that this is not inconsistent with Policy 3.2.1.

### Explanation

Objective 3.2.1 has been adopted to give effect to section 6(d) of the Act and the Regional Policy Statement for Taranaki, which both require that public access to and along rivers and lakes be maintained and enhanced.

Policy 3.2.1 requires that public access be maintained and enhanced to and along river and lake beds, except where it is necessary to restrict access for one or more of the listed purposes. This policy gives effect to Objective 3.2.1, while recognising that the Taranaki Regional Council has limited powers with respect to providing for public access where river and lake beds are privately owned.

Policy 3.2.2 recognises that existing public access may unavoidably be restricted by certain uses of river and lake beds eg, the placement of structures which impound water, and river and flood control works. In these cases, alternative access may be required to be provided or improved by the person responsible for restricting the existing public access. The intention is that the lost access be replaced in the same area if possible. If this is inappropriate, alternative access, either in a nearby area or in a different area, should be provided or improved to compensate for lost access. This alternative access can be provided either through conditions on a resource consent, or by financial contribution.

Policy 3.2.3 recognises that public access to rivers and lakes may be appropriate, but may be restricted by a lack of available structures for access eg, public access for

launching boats or for other recreational or cultural purposes. The Taranaki Regional Council considers such access should be enhanced, provided that it is not inconsistent with Policy 3.2.1 and other policies in this Plan. This policy gives effect to the objective stated and section 6(d) of the Act.

## Methods of implementation

The Taranaki Regional Council will use the following methods to implement Policies 3.2.1 to 3.2.3:

- METH 1 **Apply regional rules** contained in **Section 7** of this Plan in relation to the use and development of fresh water and the beds of rivers and lakes.
- METH 2 **Advocate to territorial authorities** the establishment of public access to and along rivers and streams in Appendix IA, through **esplanade reserves, esplanade strips or access strips** following subdivision, or through other means, as appropriate.
- METH 3 **Promote** the enhancement of public access to and along rivers and lakes through **agreements** or **covenants** with landowners under the New Zealand Walkways Act 1990, the Queen Elizabeth the Second National Trust Act 1977, or through the voluntary creation of esplanade strips under the Act.
- METH 4 **Recognise** and **promote** the provision of public access to and along rivers and lakes in the implementation of the Taranaki Regional Council's **riparian management strategy** and in the preparation of **riparian management Plans** in conjunction with landowners, where appropriate.

## Reasons

Method 1 (use of regional rules) provides an appropriate level of control over activities relating to fresh water and the use of the beds of rivers and lakes to maintain or enhance public access to rivers and lakes. Method 1 gives effect to Policies 3.2.1-3.2.3.

Method 2 recognises the role of territorial authorities in providing for public access to and along land adjacent to rivers and lakes through provisions in district plans, including provisions for the creation of esplanade reserves and esplanade strips following subdivision or creation of esplanade strips and access strips through agreements with landowners. The rivers and streams in Appendix IA have been referenced because these rivers and streams have a high degree of natural, ecological and amenity value where the establishment of esplanade reserves, esplanade strips and access strips may be desirable and appropriate. The Taranaki Regional Council can advocate to territorial authorities via submissions on district plans or subdivision consents. In addition, other means such as the voluntary creation of esplanade reserves or strips, or the purchase of land can be used by territorial authorities to establish public access. Method 2 gives effect to Policy 3.2.3.

Method 3 recognises alternative voluntary mechanisms to secure public access to and along rivers and lakes, including agreements with landowners and covenants under other legislation. The Taranaki Regional Council can advocate these mechanisms where appropriate. Method 3 gives effect to Policies 3.2.1 and 3.2.3.

Method 4 recognises that public access to and along rivers and lakes may be promoted through implementation of the Taranaki Regional Council's riparian management strategy and, with the agreement of landowners, through voluntary riparian management plans prepared by the Taranaki Regional Council in conjunction with landowners. Method 4 gives effect to Policies 3.2.1 and 3.2.3.

## Environmental results anticipated

- ER 1 Maintenance and enhancement of public access to and along rivers and lakes.
- ER 2 Increased public access to and along rivers and lakes.

## 4 Tangata Whenua

### 4.1 Issue: Recognising and providing for the relationship of Tangata Whenua and iwi and hapu of Taranaki and their culture tapu and traditions with their water, sites, wāhi tapu and other taonga

In achieving the sustainable management purpose of the act, the Taranaki Regional Council is required by section 6(e) of the Act, to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. The Taranaki Regional Council is also required by section 7(a) of the Act to have particular regard to kaitiakitanga, and under section 8 of the Act, to take into account the principles of the Treaty of Waitangi.

Of importance to Maori in relation to the management of water, is the recognition of kaupapa (objectives), kawa (process) and tikanga (Maori laws or ways of doing things).

Maori view themselves as part of the natural world. The spiritual beliefs held by Maori link Tangata Whenua to their original parents Papa-tu-a-nuku (earth mother) and Ranginui (sky father) as part of a complete living system. To Maori, all natural things originated from the union and subsequent separation of Papa-tu-a-nuku and Ranginui. From this original creation, other atua (gods) evolved and the atua in turn created other beings including mankind. Maori therefore see themselves as an integral part of the natural world and not superior to, or separate from it. This spiritual view of the natural world, requires that for all things originating from Papa-tu-a-nuku and Ranginui, a proper state of balance, harmony and respect be maintained.

Water (wai) in all its forms is descended from Papa-tu-a-nuku and Ranginui and connects them in a continuous and interwoven cycle. To Maori, water is life, is linked to conception and sustains the growth of crops, animals and people. Rivers represent the tipuna (ancestor) of the Tangata Whenua. Water and every river (awa) therefore has its

own mana. Mana is the spiritual power and authority given by the atua and incorporates the concepts of status and prestige. Water also has its own mauri (life force) and wairua (spirituality) which are linked to mana. If the mauri or wairua of a waterbody is interfered with by way of over-exploitation, pollution or desecration, then the spirit of the tipuna are affected and the waterbody will lose its vitality, its fruitfulness and its mana. These spiritual qualities may be adversely affected by activities such as the taking and use of water, discharges of contaminants to land and water and the diversion of water from one river into another.

In the Maori world, everyday activities in relation to water should be carried out to maintain or enhance its mana and the mana of individuals, hapu and Iwi.

While to Maori, the life of a river or water must not be constantly dominated by mankind, use of water is allowed, provided proper practices are followed and the use is reasonable and respectful. The concepts of tapu and noa are applied to ensure appropriate use. Being under the protection of atua, water is tapu or sacred and its use restricted. All water is therefore tapu and there may be particular sacred places or wāhi tapu. However, there are different levels and forms of tapu depending on the source of the water, its form and its level of sacredness. Under some circumstances, a temporary state of tapu, or rahui, may be imposed. Noa is the state of being free from tapu and therefore available for everyday use such as drinking, washing and bathing. The application of the concepts of tapu and noa vary from place to place and between different hapu and Iwi. However, whatever use is made of water, the proper state is one of balance, harmony and respect.

Achieving a proper state of balance also requires an understanding of how water relates to other elements or realms. To Maori, water is one strand in the environmental family and water and its characteristics, such as flow, colour and taste, must be woven together with the other strands (land, air, oceans, etc) to understand the interconnectedness of each of the strands and to ensure that all processes work in harmony.

Water, like all other natural resources, is considered by Maori to be a taonga (treasure) to be valued, used with respect and passed on to future generations in as good or better condition than at present. This is the responsibility of the Tangata Whenua as kaitiaki or guardians and involves Tangata Whenua in the protection and enhancement as well as appropriate use of water. Individual hapu and Iwi determine the nature and extent of kaitiakitanga within their respective rohe (tribal areas).

In a physical sense, water is valued by Tangata Whenua (lwi, hapu and whanau) for the provision of sustenance through food resources eg, tuna (eel), piharau (lamprey), kahawai, inanga and other whitebait species. Socially, considerable tribal mana is derived from providing locally obtained food for manuhiri (guests) on the Marae. Spiritually, water is important for cleansing and ceremonial rituals.

Particular rivers and lakes also have special significance to those lwi and hapu in whose rohe (tribal areas) they are located and to which their identity is inextricably linked. For example, the Hangatahua (Stony) River, the Waiwhakaiho and Waiongana Rivers, the Kapuni Stream and the Manganui and Waitara Rivers have special value for Taranaki, Te Atiawa, Nga Ruahine and Ngati Maru respectively.

The Act requires all persons exercising functions and powers under it, to take into account the principles of the Treaty of Waitangi. A number of principles of the Treaty have been defined through the findings of the Waitangi Tribunal and decisions of the Court of Appeal and are continuing to evolve.

The Taranaki Regional Council has followed a long process of consultation with Tangata Whenua throughout the development of the Regional Policy Statement for Taranaki and the regional plans that have been prepared by the Council. During the preparation of the Regional Policy Statement for Taranaki this consultation led to the preparation of a Declaration of Understanding and a Code of Conduct that record the understanding reached between lwi o Taranaki and the Council, and the steps that the Council will take to give effect to the principles of the Treaty of Waitangi. The Declaration of Understanding and the Code of Conduct were supported by lwi o Taranaki. The Regional Fresh Water Plan for Taranaki has been prepared in a way which gives effect to both the Declaration of Understanding and the Code of Conduct, and the matters contained in Part II of the Act.

The principal issues identified as being important to Tangata Whenua in relation to rivers, lakes and wetlands include:

- **Recognition of spiritual values**

Recognition of the spiritual values of Maori associated with water and the protection and enhancement of the mana, mauri and wairua of rivers, lakes and wetlands.

- **Adverse effects on mahinga kai**

Adverse effects of activities on mahinga kai and harvested aquatic species, including tuna (eel), piharau (lamprey), inanga (whitebait), koura (fresh water crayfish), kākahi (fresh water mussels) and wātakirihi (watercress).

- **Protection of wāhi tapu and other taonga**

The protection of wāhi tapu and areas or resources associated with fresh water and the beds of rivers and lakes that are of special significance.

- **Recognition of special significance of particular water bodies**

Recognition of the special significance of particular rivers and lakes to those lwi and hapu in whose rohe they are located, and recognition of the aspirations of lwi and hapu to develop, use and protect fresh water.

## Objective

OBJ  
4.1.1 To recognise and provide for the cultural relationship and values of lwi and hapu of Taranaki with water, and with ancestral land and sites, wāhi tapu and other taonga associated with fresh water, and the beds of rivers and lakes, in a manner reflective of their status as Tangata Whenua and in accordance with Tikanga Maori.

## Policies

POL  
4.1.1 Wāhi tapu and other sites or features of historical or cultural significance to lwi and hapu of Taranaki, and the cultural and spiritual values associated with fresh water, will be protected from the adverse effects of activities, as far as practicable.

POL  
4.1.2 Adverse effects of activities on mahinga kai and the habitats of species harvested by Tangata Whenua, will be avoided or mitigated to the fullest extent practicable.

- POL 4.1.3 Access to mahinga kai and identified areas of historical or cultural significance to Iwi and hapu of Taranaki associated with fresh water, will be maintained or enhanced, except where restrictions are appropriate to achieve the purpose of the Act, the Regional Policy Statement for Taranaki and this Plan.
- POL 4.1.4 The aspirations of Iwi and hapu of Taranaki to develop fresh water within their rohe will be recognised and provided for, where this is appropriate and consistent with the purpose and principles of the Act, the Regional Policy Statement for Taranaki and this Plan.
- POL 4.1.5 Opportunities for incorporating the customary knowledge of Iwi and hapu of Taranaki about river and lake resources, and for involving kaitiaki, as a means of promoting sustainable management or protecting taonga of fresh water, will be recognised and utilised by the Taranaki Regional Council where appropriate.
- POL 4.1.6 Procedures and approaches will be adopted to enable Iwi and hapu of Taranaki to participate in fresh water management decision making.

### Explanation

Objective 4.1.1 is necessary to give effect to sections 6(e), 7(a) and 8 of the Act. It recognises the special status of Tangata Whenua of Taranaki relative to other resource users, as established by the Treaty of Waitangi.

Policy 4.1.1 recognises the spiritual, historical, traditional and cultural associations Iwi and hapu have with rivers, lakes and wetlands and the significance of particular sites and features. The intention is to protect these values and areas from any adverse effects of activities, as far as practicable.

Policy 4.1.2 recognises the cultural significance of mahinga kai within rivers and lakes to Iwi and hapu of Taranaki and the need to protect the habitat of species harvested from these areas. This policy seeks to avoid the adverse effects of activities on mahinga kai, to the fullest extent practicable.

Policy 4.1.3 recognises the importance to Tangata Whenua of maintaining physical access and closeness with particular areas of cultural significance. It aims to ensure that free access is maintained or enhanced and provides for the restriction of public access in

those special circumstances when public access threatens the spiritual integrity of an acknowledged and agreed site.

Policy 4.1.4 is consistent with the Treaty of Waitangi principle of resource development which recognises that Iwi and hapu may choose to pursue the development of fresh water resources, in addition to traditional usage of these resources. However, recognition and support of Iwi and hapu development and conservation aspirations must be in accordance with the promotion of sustainable management, the Act and regional plans.

Policy 4.1.5 recognises that Tangata Whenua have customary knowledge and practices for conserving and managing river and lake resources, that should be incorporated (at the discretion of Iwi or hapu and the Taranaki Regional Council) with the Taranaki Regional Council's management policies and methods. Similarly, Iwi and hapu have their own kaitiaki, whose various roles may be able to be integrated (as seen to be appropriate by Iwi or hapu and the Taranaki Regional Council) with the Taranaki Regional Council's management roles. This policy provides these opportunities.

Policy 4.1.6 recognises the partnership relationship between Iwi and the Crown as a principle of the Treaty of Waitangi and refers to the establishment of procedures to encourage active participation of Iwi in fresh water management.

### Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 4.1.1 to 4.1.6:

- METH 1 **Apply regional rules** contained in **Section 7** of this Plan to recognise and provide for the relationship of Tangata Whenua with their water, sites, wāhi tapu and other taonga.
- METH 2 **Consult** with Iwi and hapu with regard to the identification of places of special cultural and traditional value associated with fresh water and river and lake beds, as appropriate, with the aim of ensuring these values are recognised and provided for in the resource consent process and, where

appropriate, these places and values are adequately protected from the adverse effects of activities.

- METH 3 In accordance with the Taranaki Regional Council's Resource Consents Procedures Document, **provide** full opportunity for Tangata Whenua to **participate** in the **resource consent process** by:
- (a) encouraging consent applicants to provide information to, and consult with, Iwi, hapu or whanau groups in relation to resource consent applications for activities within the rohe of those groups that may affect them;
  - (b) requiring applicants for non-notified resource consent applications to obtain the written approval of affected Iwi or hapu, where appropriate and in accordance with this Plan;
  - (c) notifying affected Iwi of all notified resource consent applications for activities in fresh water;
  - (d) providing adequate information and technical advice to assist with the preparation of submissions by Iwi, hapu or whanau, when required;
  - (e) arranging and facilitating pre-hearing meetings between consent applicants and members of Iwi, hapu or whanau affected by the consent proposal, where appropriate;
  - (f) contracting as may be appropriate, representatives of Iwi or hapu to supply information, provide representative views and undertake specific research work in relation to particular resource consent applications; and
  - (g) extending consent application time limits when appropriate, to enable adequate consultation and possible resolution of issues.

METH 4 **Provide for Tikanga Maori** in the **hearings process** by:

- (a) provision of interpretation services for the presentation of evidence in Te Reo Maori;
- (b) holding pre-hearing meetings and hearings on Marae at the request of affected Iwi or hapu with the agreement of the applicant; and
- (c) public exclusion from hearings and restrictions on the publication of evidence when this is necessary to avoid offence to Tikanga Maori and the disclosure of the location of wāhi tapu.

METH 5 **Support** Iwi or hapu initiatives to identify wāhi tapu and sites or features of historical or cultural significance associated with fresh water, and the development of wāhi tapu inventory, 'silent files' and Iwi Planning documents by providing **planning assistance** and **investigating funding options** on a case by case basis.

METH 6 **Encourage** Iwi or hapu participation in **environmental monitoring** with respect to fresh water, including input into the design of monitoring programmes and involvement in monitoring activities, where appropriate.

## Reasons

Method 1 (regional rules) provides an appropriate level of control over activities to recognise and provide for the relationship of Tangata Whenua with fresh water sites, wāhi tapu and other taonga. Method 1 gives effect to Policies 4.1.1, 4.1.2 and 4.1.3.

Method 2 gives effect to Policy 4.1.1. Iwi may be reluctant to have wāhi tapu and other sites of special value identified in the Plan, and therefore open to general public knowledge. An alternative to this method is to provide Iwi with the opportunity, within the consents process, to identify sites of special value on a case by case basis, when proposed activities which might affect these sites arise.

Method 3 has been adopted to provide full opportunity for Tangata Whenua to participate in the resource consent process. Method 3(a), encouraging consent applicants to consult with Iwi, hapu or whanau on resource consent applications, provides a means whereby the effects of the activity on the relevant Iwi, hapu or whanau can be identified and methods to overcome those effects developed. Methods 3(b) and (c), providing for notification of consent applications to affected Iwi authorities, is a requirement of section 93(1)(f) of the Act and is necessary to enable Iwi to screen consent applications to ascertain the need for consultation. The extension of time limits

when appropriate under Method 3(g) and arranging and facilitating pre-hearing meetings (in accordance with Section 99 of the Act and the Resource Consents Procedures Document) under Method 3(e), are to enable adequate consultation and possible resolution of issues of concern to Tangata Whenua. The provision of sufficient information under Methods 3(d) and (f) and time to enable Iwi to make informed decisions by consensus about their response to resource consent applications, is a basic requirement of genuine consultation, and applies to all parties. More detailed procedures relating to Method 3 are set out in the Taranaki Regional Council's Resource Consents Procedures Document. Method 3 gives effect to Policy 4.1.6.

Method 4 has been adopted because provision for the use of Te Reo Maori, for holding meetings and hearings on Marae, and for the protection of sensitive information (e.g. the location of wāhi tapu) within the hearing process, is considered an important means of recognising Tikanga Maori. Recognition of Tikanga Maori in the hearings process is provided for in sections 39(2)(b) and 42(a) of the Act. Method 4 gives effect to Policy 4.1.6.

Method 5 recognises that the identification of wāhi tapu and sites or features of historical or cultural significance (through 'silent files' and/or inventory and maps) may be chosen by Iwi or hapu as a means of protecting these places from the adverse effects of activities. Provision of assistance with the identification and recording process, as requested by Iwi or hapu, is considered an appropriate and effective means of ensuring these places are protected. The alternative to this method is identification and protection of sites on a case by case basis and as the need arises, through the consents process. Method 5 gives effect to Policies 4.1.1 and 4.1.5.

Method 6 has been adopted because the encouragement of Iwi participation in environmental monitoring within their rohe is a means of recognising and involving tribal kaitiaki and furthering partnership objectives. It may also create opportunities for the integration of traditional knowledge about river, lake and wetland resources. Method 6 gives effect to Policies 4.1.5 and 4.1.6.

## Environmental results anticipated

- ER 1 Relationship of Tangata Whenua with water, sites, wāhi tapu and other taonga recognised and provided for.
- ER 2 Protection of wāhi tapu and places of historical or cultural significance to Tangata Whenua associated with fresh water and river and lake beds within the Taranaki region.
- ER 3 Environmental outcomes in accordance with Maori cultural and traditional values and kaitiakitanga.



## 5 Use and development of fresh water

### 5.1 Issue: Enabling appropriate use and development of fresh water

There are numerous uses of fresh water in Taranaki. Consumptive use of water benefits agriculture, industry, recreational users and municipal water supply authorities. Water is also used for hydroelectric power generation. Agricultural uses include rural domestic water use, stock-watering, cooling and farm dairy washing uses. The major industrial consumers of water are the primary production industries such as freezing works, dairy factories and petroleum industries. The use of water for recreation includes sports field irrigation, active uses such as swimming, and passive uses such as walking. Municipal water use consists of industrial and urban domestic use. There are four major hydroelectric power stations in Taranaki, with a total average annual throughput of over 1.6 million cubic metres of water per day. In addition to the economic benefits from these power stations, the associated hydro lakes provide an important amenity and recreational resource for people in the region.

Structures in and over river and lake beds provide access, enable the generation of hydropower electricity, the storage of water, discharges and water takes, and form part of essential network utilities, including electricity and telecommunication, water supply, sewage and stormwater systems, gas and petroleum pipelines, and road and rail networks.

River control activities and flood protection structures help avoid and mitigate the adverse effects of flooding. Land drainage activities enable the use and development of land. The planting of riparian vegetation provides bank erosion protection, enhances aquatic habitats, and mitigates the adverse effects of diffuse source contaminants from agricultural land on water quality. Fresh water provides an assimilative medium for discharges of contaminants. Fresh water is also important for cultural and customary uses of Tangata Whenua and sustains an important food resource.

All of these uses provide economic, social and cultural benefits to people and communities and are important for their health, safety and wellbeing. Some activities have only minor environmental effects while others can have adverse effects on instream values and the natural character of rivers, lakes and wetlands. The principal issues in relation to the use and development of fresh water and the beds of rivers and lakes are:

- **Recognition of the positive benefits of use and development**

The positive benefits to people and communities of use and development of fresh water and river and lake beds should be recognised in decision making.

- **Recognition of existing use**

Existing uses of fresh water and river and lake beds should be recognised in decision making.

- **Efficient processes for dealing with minor activities**

Administrative requirements should be minimised for activities with only minor or no adverse effects.

- **Adverse effects of use and development**

The adverse effects on the environment of the use and development of fresh water and river and lake beds must be avoided, remedied or mitigated.

### Objectives

- |       |  |
|-------|--|
| OBJ   | To enable people and communities to use and develop fresh water resources and the beds of rivers and lakes to provide for their social, economic and cultural wellbeing and for their health and safety, in accordance with the sustainable management of those resources. |
| 5.1.1 |  |
| OBJ   | To provide efficient and streamlined administrative procedures for those activities which have no or only minor adverse effects on the environment.  |
| 5.1.2 |  |

## Policies

- POL 5.1.1 When managing the use and development of fresh water and the beds of rivers and lakes, the Taranaki Regional Council will recognise:
- (a) the need for all activities to avoid, remedy, or mitigate adverse environmental effects in accordance with the objectives and policies of this Plan;
  - (b) the positive benefits to people and communities arising from the use or development;
  - (c) existing uses of physical resources including any human-made resources that have a specific-use purpose;
  - (d) the effects on existing lawfully established activities;
  - (e) the need to allow existing users to progressively upgrade their environmental performance, where improvements are necessary to meet the provisions of this Plan.
- POL 5.1.2 The Taranaki Regional Council will minimise administrative procedures for those activities with minor or no adverse effects on the environment.

## Explanation

The sustainable management of fresh water involves enabling people and communities to use fresh water to provide for their social, economic and cultural wellbeing, while meeting the requirements of section 5(2)(a), (b) and (c) of the Act to meet the reasonably foreseeable needs of future generations, safeguard life-supporting capacity and avoid, remedy or mitigate any adverse effects on the environment. Objectives 5.1.1 and 5.1.2 and Policies 5.1.1 and 5.1.2 have been adopted to recognise and provide for appropriate existing and future uses of fresh water that are restricted by sections 13, 14 and 15 of the Act while meeting the requirements of section 5(2) of the Act.

Policy 5.1.1 provides for positive social, economic and cultural benefits to be taken into account when assessing proposals for the use and development of fresh water and river and lake beds. It also recognises existing uses of physical resources including human-made resources such as constructed lakes and wetlands that have a specific use purpose. This is to ensure that the specific purposes for which human-made resources have been developed are recognised in resource management processes. Policy 5.1.1 also recognises the need to allow existing users to upgrade their environmental

performance progressively where improvements are necessary. This will promote sustainable management in a way which is fair to resource users and which avoids undue hardship. Policy 5.1.1 also ensures that the effects of proposals on existing lawfully established activities are taken into account. All activities which use and develop fresh water and river and lake beds must, however, avoid, remedy or mitigate adverse effects on the environment in accordance with the objectives and policies of the Plan and this is provided for in Policy 5.1.1(a).

Policy 5.1.2 has been adopted to recognise that some uses of fresh water and river and lake beds have little or no adverse environmental effects. These activities can either be permitted in the Plan, subject to meeting conditions stated in the Plan or made controlled activities if some degree of control is appropriate. These provisions will reduce unnecessary administrative procedures while still promoting the sustainable management of fresh water resources.

## Methods of implementation

The Taranaki Regional Council will use the following methods to implement Policies 5.1.1 and 5.1.2:

- METH 1 **Apply regional rules** contained in **Section 7** of this Plan to allow, regulate or prohibit the following activities:
- (a) taking, use, damming and diversion of surface water;
  - (b) discharges of contaminants to land and water;
  - (c) use of groundwater;
  - (d) use, maintenance, removal and placement of structures;
  - (e) removal and introduction of plants;
  - (f) other uses of river and lake beds;
  - (g) land drainage;
  - (h) drainage and reclamation of, and diversion of water from regionally significant wetlands.
- METH 2 **Consider** policies in Parts Two and Three of this Plan relevant to the activity, together with Part II and section 104 of the Act as the primary assessment criteria when:

considering whether or not to grant a resource consent for a **discretionary** or **non-complying activity**; and

considering the conditions to set on a resource consent for **controlled, discretionary** or **non-complying** activities.

- METH 3 **Provide information and advice** on appropriate methods to avoid, remedy or mitigate any adverse effects of the use and development of fresh water and the beds of rivers and lakes.
- METH 4 **Support initiatives by resource users** to avoid, remedy or mitigate the adverse effects of the use and development of fresh water and river and lake beds, including the preparation of **guidelines** or **codes of practice**.
- METH 5 **Apply the enforcement provisions** of the Act to require compliance with the provisions of this Plan.
- METH 6 **Monitor and gather information** on the use of fresh water, rivers, lakes and wetlands and their beds within the Taranaki region and the benefits to people, communities and the environment from such use.
- METH 7 **Implement other methods** contained in **Section 6** of this Plan as are relevant to the use and development of fresh water and river and lake beds.

## Reasons

Method 1 (use of regional rules) has been adopted because regional rules will provide more appropriate levels of use and control over activities relating to fresh water, in accordance with their effects on the environment, than will reliance on sections 13, 14 and 15 of the Act alone. By using this method, activities which have no or only minor adverse effects are able to be provided for as permitted or controlled activities, giving effect to Policy 5.1.2.

Method 2 states a requirement of the Act, for the avoidance of doubt. Consent authorities are required to have regard to the objectives and policies of the Plan when considering their decisions on resource consents. Method 2 provides an effective means of implementing policies on use and development of fresh water and river and lake beds and promoting the sustainable management of these resources.

Method 3, provision of information and advice, provides a further means of avoiding, remedying or mitigating the adverse effects of resource use, particularly when used in conjunction with regional rules. What may appear to be a lack of regard for the environmental effects of activities, may be due to a lack of understanding of the environment, the effects of an activity on the environment or the means available to avoid or reduce those effects. By providing information and advice, the Taranaki Regional Council can assist those using fresh water resources to meet the objectives and policies of this Plan.

Method 4 recognises that the adoption of voluntary or other initiatives by resource users to meet industry standards can be an effective means of achieving the objectives and policies of this Plan. These initiatives include the preparation of guidelines and industry codes of practice.

Method 5 involves the use of enforcement procedures. These procedures can be applied to require adherence to appropriate standards.

Method 6 is to enable the Taranaki Regional Council to better manage the use, development and protection of fresh water resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety. It will also enable the Taranaki Regional Council to establish the effectiveness of the policies and provisions of this Plan.

Method 7 recognises that there are more specific methods related to particular activities and their effects set out in Section 6 of this Plan, which will assist in implementing Policies 5.1.1 and 5.1.2.

## Environmental results anticipated

- ER 1 Appropriate provision made for use and development of fresh water to meet the social, economic and cultural needs of people and communities and their health and safety.
- ER 2 Efficient management of fresh water in Taranaki.
- ER 3 Adverse effects of use and development of fresh water and the beds of rivers and lakes avoided, remedied or mitigated.



Part Two A  
Transitional provisions –  
National Policy Statement for Freshwater Management

## 5 A. Transitional provisions – NPS for Freshwater Management

The NPS for Freshwater Management 2014 (as updated in 2017) includes transitional policies under Policy A4 to give effect to Policy A1 and Policy A2 of that NPS. These transitional policies address water quality and water quantity and continue to have effect.

The NPS 2014 was subsequently replaced with the NPS 2020 that required three additional transitional provisions to be included in this section of the Plan – these being clause 3.22(1) [Natural inland wetlands], clause 3.24(1) [Rivers], and clause 3.26(1) [Fish passage]. Transitional provisions will remain until replaced with a new regional plan addressing freshwater issues. The NPS 2020 was amended in 2023, amendments included an expanded clause 3.22(1) [Natural inland wetlands]. This amendment is reflected in this chapter of the Plan.

### Objective

#### Fish passage<sup>10</sup>

OBJ 5A.1 The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.

### Policies

#### Water quality<sup>11</sup>

POL 5A.1.1 When considering any application for a discharge the consent authority must have regard to the following matters:

- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and
- (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.

POL 5A.1.2 When considering any application for a discharge the consent authority must have regard to the following matters:

- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their contact with fresh water; and
- (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their contact with fresh water resulting from the discharge would be avoided.

POL 5A.1.3 Policies 5A.1.1 and 5A.1.2 applies to the following discharges (including a diffuse discharge by any person or animal):

- (a) a new discharge or
- (b) a change or increase in any discharge - of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.

<sup>10</sup> Objective 5A.1 was inserted in accordance with the direction stated in Clause 1.7 and Clause 3.26(1) (Fish passage) of the National Policy Statement for Freshwater Management 2020 and took effect from 3 September 2020

<sup>11</sup> Policy 5A.1.1-Policy 5A.1.5 was inserted in accordance with the direction stated in Policy A4 of the National Policy Statement for Freshwater Management 2014 (as updated in 2017)

POL 5A.1.4 Policy 5A.1.1 does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

POL 5A.1.5 Policy 5A.1.2 does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.

### Water quantity<sup>12</sup>

POL 5A.2.1 When considering any application the consent authority must have regard to the following matters:

- (a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and
- (b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.

POL 5A.2.2 Policy 5A.2.1 applies to:

- (a) any new activity and
- (b) any change in the character, intensity or scale of any established activity –
- (c) that involves any taking, using, damming or diverting of fresh water or draining of any
- (d) wetland which is likely to result in any more than minor adverse change in the natural
- (e) variability of flows or level of any fresh water, compared to that which immediately

- (f) preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).

POL 5A.2.3 Policy 5A.2.1 does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

### Natural inland wetlands<sup>13</sup>

POL 5A.3.1 The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where

- (a) the loss of extent or values arises from any of the following:
  - (i) the customary harvest of food or resources undertaken in accordance with tikanga Māori
  - (ii) wetland maintenance, restoration, or biosecurity (as defined in the National Policy Statement for Freshwater Management)
  - (iii) scientific research
  - (iv) the sustainable harvest of sphagnum moss
  - (v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)
  - (vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)
  - (vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or
- (b) the regional council is satisfied that:

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<sup>12</sup> Policy 5A.2.1-Policy 5A.2.3 was inserted in accordance with the direction stated in Policy B7 of the National Policy Statement for Freshwater Management 2014 (as amended in 2017)

<sup>13</sup> Policy 5A.3.1 was inserted in accordance with the direction stated in Clause 1.7 and Clause 3.22(1) of the National Policy Statement for Freshwater Management 2020 and took effect from 3 September 2020.

- (i) the activity is necessary for the purpose of the construction or upgrade of specified infrastructure; and
  - (ii) the specified infrastructure will provide significant national or regional benefits; and
  - (iii) there is a functional need for the specified infrastructure in that location; and
  - (iv) the effects of the activity are managed through applying the effects management hierarchy; or
- (c) the regional council is satisfied that:
- (i) the activity is necessary for the purpose of urban development that contributes to a well-functioning urban environment (as defined in the National Policy Statement on Urban Development); and
  - (ii) the urban development will provide significant national, regional or district benefits; and
  - (iii) the activity occurs on land identified for urban development in operative provisions of a regional or district plan; and
  - (iv) the activity does not occur on land that is zoned in a district plan as general rural, rural production, or rural lifestyle; and
  - (v) there is either no practicable alternative location for the activity within the area of the development, or every other practicable location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and
  - (vi) the effects of the activity will be managed through applying the effects management hierarchy; or
- (d) the regional council is satisfied that:
- (i) the activity is necessary for the purpose of quarrying activities; and
  - (ii) the extraction of the aggregate will provide significant national or regional benefits; and
  - (iii) there is a functional need for the activity to be done in that location; and
  - (iv) the effects of the activity will be managed through applying the effects management hierarchy; or
- (e) the regional council is satisfied that:

- (i) the activity is necessary for the purpose of:
    - (A) the extraction of minerals (other than coal) and ancillary activities; or
    - (B) the extraction of coal and ancillary activities as part of the operation or extension of an existing coal mine; and
  - (ii) the extraction of the mineral will provide significant national or regional benefits; and
  - (iii) there is a functional need for the activity to be done in that location; and
  - (iv) the effects of the activity will be managed through applying the effects management hierarchy; or
- (f) the regional council is satisfied that:
- (i) the activity is necessary for the purpose of constructing or operating a new or existing landfill or cleanfill area; and
  - (ii) the landfill or cleanfill area:
    - (A) will provide significant national or regional benefits; or
    - (B) is required to support urban development as referred to in paragraph (c); or
    - (C) is required to support the extraction of aggregates as referred to in paragraph (d); or
    - (D) is required to support the extraction of minerals as referred to in paragraph (e); and
  - (iii) there is either no practicable alternative location in the region, or every other practicable alternative location in the region would have equal or greater adverse effects on a natural inland wetland; and
  - (iv) the effects of the activity will be managed through applying the effects management hierarchy.

**Rivers<sup>14</sup>**

- POL 5A.4.1 The loss of river extent and values is avoided, unless the council is satisfied that:
- (a) there is a functional need for the activity in that location; and
  - (b) the effects of the activity are managed by applying the effects management hierarchy.

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<sup>14</sup> Policy 5A.4.1 was inserted in accordance with the direction stated in Clause 1.7 and Clause 3.24(1) of the National Policy Statement for Freshwater Management 2020 and took effect from 3 September 2020.



## Part Three

# Resource issues in the Taranaki region



## 6 Resource issues in the Taranaki region

### 6.1 Issue: The adverse effects of the taking, use, damming and diversion of surface water

Taranaki receives frequent and plentiful rainfall. However, much of this rapidly flows to the sea via rivers or streams or enters groundwater through infiltration, causing considerable variation in river flows, particularly seasonally. It is this flow variation that is of greatest significance for the sustainable management of surface water resources in Taranaki.

The taking, use, damming and diversion of surface water is an issue of major public and economic interest in Taranaki. Rivers and streams have come under increasing pressure to meet the needs of a wide range of consumptive water uses in agriculture, industry and for domestic use. At the same time, there has been concern to ensure that sufficient water remains available to maintain 'healthy' rivers and streams for aquatic life, provide for instream uses, such as fishing and swimming, and to recognise and provide for the cultural and spiritual relationships of Tangata Whenua with water. These uses and values are not always compatible and there is potential for conflict between them, particularly at times when river flows are low.

The median discharge of water for all of Taranaki is  $1.89 \times 10^{11}$  l/s. At maximum demand, approximately 4232 l/s of water is taken from fresh water sources and used for consumptive purposes. This is used largely for community supply, agriculture, general industry, dairy processing, irrigation and the hydrocarbon exploration and production industry. Water is therefore vital for the continued social and economic wellbeing of the Taranaki region and for the health and safety of the community.

Land use practices such as land drainage and removal of forest cover may have an effect on peak and low flows in rivers and streams in the region. However, this is a complex process that is currently poorly understood.

The damming and diversion of water in rivers and streams is a relatively common occurrence in Taranaki. Many diversions are minor and are required as part of the establishment of structures or works. These generally have only minor effects which can be avoided, remedied or mitigated.

The principal issues in relation to the taking, use, damming and diversion of surface water are:

- **Adverse effects due to altered flows, quantities and levels**

Fresh water ecosystems can be significantly affected by changes in water quantity. Reduced flows or water levels can lead to a reduction in water depth, velocity, wetted area and waste dilution capacity, all of which can affect aquatic ecosystems. As well, reduced flows can affect the natural character of the water body, and intrinsic and recreational values such as swimming and fishing.

- **Potential for conflict between competing uses**

There is the potential for conflict between consumptive uses (such as irrigation and water supplies) and non-consumptive uses (such as aesthetic and scenic values, and instream needs). The potential for conflict is greater at times of low flow.

### Objective

OBJ To promote the sustainable management of the surface waters of Taranaki  
6.1.1 while avoiding, remedying or mitigating any actual or potential adverse effects from the taking, use, damming or diversion of surface water.

### Policies

POL The Taranaki Regional Council will prohibit the taking and use of water in  
6.1.1 the catchments or reaches listed in Table 1, except for minor takes and where the taking or use is necessary to meet an individual's reasonable domestic or stock water needs or for fire-fighting purposes.

**Table 1** Catchments or reaches where taking and use of water will be prohibited

Catchment	Reach
Maketawa Stream catchment except Ngatoro Stream catchment above the confluence with the Ngatoro-iti Stream	To confluence with Manganui River
Manganui River except Te Popo Stream catchment	Catchment above 100 m above weir (located at NZMS 260 Q19: 202-200)

POL 6.1.2 The Taranaki Regional Council will as far as practicable, strictly limit the taking, use, damming and diversion of water above the existing level of use in the catchments or reaches listed in Table 2. All applications for existing and any further taking, use, damming or diversion of water in these catchments will be assessed on a case-by-case basis according to Policies 6.1.3 and 6.1.5-6.1.9.

**Table 2** Catchments or reaches where taking, use, damming and diversion of water will be limited

Catchment	Reach
Kapuni Stream	Whole catchment
Kaupokonui Stream	Whole catchment
Mangorei Stream	Whole catchment
Patea River	Above Mangaehu Stream confluence
Waiongana Stream	Whole catchment
Waingongoro River	Whole catchment
Waiwhakaiho River	Catchment above 100 m above weir (located at NZMS 260 P19: 078-298)

POL 6.1.3 Notwithstanding Policy 6.1.4, when assessing the quantity of water that may be taken, used, dammed or diverted from any surface water body, the Taranaki Regional Council will have particular regard to:

- (a) the natural, ecological and amenity values of the water body;
- (b) the relationship of Tangata Whenua with the water body;
- (c) the importance of the water body to meet existing or reasonably foreseeable needs for community water supplies, agricultural, industrial or other use;
- (d) the effects of water levels and flows on water quality;
- (e) the hydrological characteristics of the catchment including flow variability, flow recession characteristics and the relationship to groundwater recharge;
- (f) the significance of flows and groundwater recharge for the maintenance or enhancement of downstream flows;
- (g) the extent to which the adverse effects of the taking, use, damming or diversion of water can be avoided, remedied or mitigated.

POL 6.1.4 Subject to Policy 6.1.3, when assessing resource consents and imposing conditions for the taking, use, damming or diversion of surface water the Taranaki Regional Council will require quantities, levels and flows of water in rivers and streams (excluding those in Policies 6.1.1 and 6.1.2), that retain at least  $\frac{2}{3}$  habitat at mean annual low flow.

POL 6.1.5 When assessing resource consent applications for the taking, use, damming or diversion of water, the Taranaki Regional Council will consider:

- (a) the need to ensure that surface water is available for reasonable domestic needs, stock drinking water requirements, and fire fighting purposes;
- (b) where there are competing uses for water, or in catchments identified in Policy 6.1.2, the degree of community or regional benefit from the taking, use, damming or diversion as distinct from private or individual benefit;
- (c) the need for the volumes of water sought;
- (d) the need to use water efficiently and with a minimum of waste;
- (e) what alternative sources of water or water collection or storage methods have been considered;
- (f) possible mitigation measures including the maintenance of adequate minimum flows or flow regimes, the reduction or suspension of takes, the location, timing, duration and rate of the abstraction, the maintenance of fish passage, the application of riparian planting, use of gradient control for diversions, or other measures;
- (g) the need to install systems to accurately measure the volumes of water abstracted and to reduce or suspend abstractions.

POL 6.1.6 The conservation and efficiency of use of the surface waters of Taranaki, including reduction of losses from water treatment and distribution systems, will be promoted.

POL 6.1.7 Water harvesting, including the use of storage reservoirs or impoundments to store water at times of high river flow, or the collection or storage of rainwater, will be encouraged, provided adverse effects can be avoided, remedied or mitigated.

POL 6.1.8 During times of water shortage or when flows are likely to fall below that which retains  $\frac{2}{3}$  habitat at mean annual low flow or any prescribed minimum flows, the Taranaki Regional Council will instigate appropriate procedures including:

- (a) advising abstractors to conserve water;
- (b) advising abstractors to restrict non-essential use of water as far as practicable;
- (c) advising abstractors to suspend takes in accordance with the conditions of their resource consents;
- (d) considering the need to issue water shortage directions under Section 329 of the Act.

POL 6.1.9 The Taranaki Regional Council will allow, on application, the transfer of the whole or any part of a permit to take water, to any owner or occupier of the site to which the permit relates or to another person on another site or to another site provided that:

- (a) the transfer occurs within the same catchment;
- (b) the transfer is consistent with the objectives and policies of this Plan;
- (c) the transfer does not result in a flow that is below any prescribed minimum flow;
- (d) there are no significant adverse environmental effects from the transfer.

### Explanation

Objective 6.1.1 provides for the sustainable management of surface water while ensuring that any actual or potential adverse environmental effects of the taking, use, damming or diversion of water are avoided, remedied or mitigated.

Policy 6.1.1 identifies those catchments or reaches where the taking and use of water will be prohibited. The water bodies listed are largely unmodified with few water use pressures, where existing natural flows are a major contributor to the regional significance of these waterways for their natural character, scenic or amenity values. Those parts of the Maketawa Stream and Manganui River described in the policy contain regionally important scenic and recreational values associated with current water levels and flows. Maps outlining the boundaries of the catchments can be found in Appendix IV.

Policy 6.1.2 identifies those catchments or reaches where the taking, use, damming or diversion of water above the existing level of use will in future be strictly limited. These are catchments that have high natural values but also have relatively high levels of consumptive use. The Taranaki Regional Council will recognise the existing level of use in the catchments or reaches listed in Table 2 as at the date of public notification of the Plan and will provide for some limited additional uses of water within these catchments. However, the Taranaki Regional Council will carefully assess existing use and strictly limit any further taking, use, damming or diversion of water in these catchments so as to maintain and wherever possible enhance the natural values. For the purposes of this policy the existing level of use means both the permitted uses and those authorised through the resource consent process. All applications for the taking, use, damming or diversion of water in the catchments or reaches listed in Table 2 will be assessed according to Policies 6.1.3 and 6.1.5-6.1.9. Activities may be limited in terms of volume, location, times or flows at which they may occur. Furthermore, in accordance with Policy 6.1.5(b), when considering resource consents for the taking, use, damming or diversion of water in these catchments the Taranaki Regional Council will consider the degree of community or regional benefit from the activity.

Under Policy 6.1.3 consideration will be given to the values of the water body and the relationship of Tangata Whenua with the water body. Policies in Part Two provide further detail on these matters. Consideration will also be given to the importance of the water body for community and other water supplies. The quantity of water in a river or stream can affect water quality by providing a greater or lesser capacity to assimilate waste, including runoff of nutrients and sediment from pasture. Where the taking or use of water is likely to have a significant effect on water quality, Policy 6.1.3(d) may result in limitations on the volumes able to be taken. The significance of flows to the maintenance or enhancement of downstream flows, particularly to maintain or enhance instream habitat or water quality in lower reaches, will also be considered together with the hydrological characteristics of the catchment, such as the duration and frequency of low flows, and flow variability. The maintenance of a natural flow regime will also be considered in assessing the amount of water available for abstraction. Depending on the river or stream, the applicant may need to assess the effects of the abstraction on habitat for fish species, either using the brown trout model for streams and rivers that will support those species, or using other assessments for smaller streams that do not provide habitat for brown trout. Consent applicants may be required to abstract from the lower reaches of

catchments to safeguard instream values of upper reaches, where this will not adversely affect the special values of estuaries, or indigenous fauna and their habitat. The greatest native fish diversity and abundance are found at lower altitudes, and therefore the tributaries in the lower catchment are particularly important for native fish. High altitude streams can also provide habitat for some species. The Taranaki Regional Council will also have particular regard to the extent to which any adverse effects of the taking and use of water can be avoided, remedied or mitigated.

Policy 6.1.4 states that, subject to Policy 6.1.3, the Taranaki Regional Council will require quantities, levels and flows of water in rivers and streams that retain at least  $\frac{2}{3}$  habitat at mean annual low flow. This policy excludes those catchments and reaches listed in Policies 6.1.1 and 6.1.2, which have higher standards applied to them. However, the quantity of water that can be taken, used, dammed or diverted will be assessed on a case-by-case basis, based on the criteria contained in Policy 6.1.3. Together Policies 6.1.3 and 6.1.4 provide a guideline on the amount of water that may be used in a given situation. Policy 6.1.4 applies at the point where the taking, use, damming or diversion occurs. Policy 6.1.4 allows some degree of habitat loss to provide for consumptive water use, while still retaining the life-supporting capacity of the river or stream. The  $\frac{2}{3}$  habitat guideline is based on the average between food-producing habitat and habitat requirements for brown trout. It is generally not possible to consider the effects on the whole ecosystem, the needs of all species and the linkages between species. The Taranaki Regional Council therefore considers that the provision of a minimum habitat at times of low flow for the needs of brown trout is sufficient to provide for the physical needs of smaller or less prolific fauna including most indigenous fish species and their habitat. However, for small streams (those with flows of less than 500 l/s) which do not provide habitat for brown trout, the use of the  $\frac{2}{3}$  habitat model may not be appropriate in all circumstances. For these types of streams an assessment of hydrological characteristics and effects on habitat may need to be undertaken. In this way Policy 6.1.4 gives effect to sections 6(c) and 7(h) of the Act.

However, notwithstanding Policy 6.1.4, under some circumstances, higher or lower volumes of abstraction may be justified or minimum flows or the restriction or suspension of takes required. Policy 6.1.3 provides guidance on how the amount of water will be set taking into account the range of matters listed in the Policy.

Policy 6.1.5 sets out a number of specific matters which the Taranaki Regional Council will take into account in assessing resource consent applications for the taking, use, damming or diversion of water. These matters in the main relate to determining water allocation priorities among competing users and means whereby water users can avoid, remedy or mitigate any adverse environmental effects of the activity. The Taranaki Regional Council will consider the need to ensure that surface water is available for reasonable domestic needs, and for stock watering and fire fighting purposes. Where there are competing uses for water, the Taranaki Regional Council will consider the degree of community or regional benefit from the activity as distinct from private benefits or benefits that arise primarily to individuals. Where there are no competing uses, the Taranaki Regional Council will allocate water on a 'first-come, first-served' basis. In either event, water allocated may be transferred to other water users in accordance with Policy 6.1.9. Policy 6.1.5 requires further, that applicants justify the need for the water sought, ie, that the volumes sought are reasonable having regard to the intended use and local conditions, and that water be used efficiently with a minimum of waste. The Taranaki Regional Council will also take into account what alternative water supplies, or water collection or storage methods have been considered. Alternative supplies such as groundwater or water storage can avoid or mitigate the adverse environmental effects of continuous abstraction from surface water. This integrates with Policies 6.1.6 and 6.1.7. Other measures to avoid or mitigate adverse environmental effects, for example installing fish passes, planting riparian margins, or altering the location and timing of the activity, will also be considered.

Policy 6.1.6 has been adopted to give specific recognition to the need for water users to conserve and use water efficiently. The conservation and efficiency of use of water can reduce the volumes of water required to be abstracted from rivers and streams.

Policy 6.1.7 has been adopted to give specific recognition to water harvesting and water storage to avoid the need to abstract water from rivers and streams at critical low flow periods, when potential adverse effects are greatest. Adverse effects of these activities must be avoided, remedied or mitigated.

Policy 6.1.8 sets out the approach that the Taranaki Regional Council will take in restricting the taking and use of water during periods of extreme or serious water shortage. The policy has been adopted to ensure that all water users share in reducing their level of water use during water shortages and to ensure that non-essential takes or

water uses are restricted as far as possible. Where the Taranaki Regional Council considers that there is a serious temporary shortage of water within the region or any part of the region, it may issue a 'water shortage direction' under section 329 of the Act to apportion, restrict or suspend the taking and use of water.

Policy 6.1.9 has been adopted to provide for the transfer of water permits from one user to another or from one site to another, provided the conditions in the policy and any relevant consent can be met. The transfer of water permits enables greater flexibility and efficiency in managing and allocating water resources and ensures that water is used where it is most needed. The advantage of a transfer is that allocations are not 'wasted' by a permit holder keeping an allocation but not using it, while another user is forced to apply for a new permit.

## Methods of implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.1.1 to 6.1.9:

- METH 1 **Apply regional rules** contained in **Section 7** of this Plan, to allow, regulate or prohibit the taking, use, damming or diversion of surface water.
- METH 2 **Promote** the **conservation and efficiency of use** of surface water through the resource consents process and through education and the provision of information and advice.
- METH 3 **Encourage water harvesting** and the use of **storage or impoundments** to store water at times of high river flow.
- METH 4 **Promote** the use of **alternative sources** of water, including groundwater or rainwater, to maintain or enhance surface water levels and flows.
- METH 5 **Promote** the adoption of **water saving practices** and the use of **water saving devices** and **water metering**.
- METH 6 **Encourage**, or when appropriate, require **water audits** by water users or suppliers, to identify water losses or wastage or opportunities to conserve or use water more efficiently.

- METH 7 **Monitor** and **gather information**, and if necessary measure abstractions of surface water in the region, and flows in rivers and streams.
- METH 8 **Liaise** with **water users** prior to and during **low flow periods** regarding restrictions on water use and to promote the efficient use of water.
- METH 9 **Investigate** the methods (such as contingency plans or response strategies) by which the Taranaki Regional Council might address an actual or potential water shortage event.
- METH 10 **Promote** or **undertake research** into methods of water allocation, the setting of water levels and flows and the conservation and more efficient use of water.

## Reasons

The taking and use of surface water is prohibited under section 14 of the Act unless the taking or use is allowed by a rule in a regional plan or by a resource consent (or is for reasonable domestic needs, stock watering or fire fighting purposes as provided in section 14(3) of the Act).

Method 1 has been adopted because, in respect of taking, use, damming and diversion of water (for other than reasonable domestic and stock watering needs, and for fire-fighting purposes), regulation is a simple, efficient and effective method of controlling the adverse effects of those activities. Method 1 gives effect to Policies 6.1.1-6.1.5.

Method 2, to promote the conservation and efficiency of use of surface water, will minimise excessive or wasteful use of water. This method can assist in avoiding, remedying or mitigating adverse effects on the environment from the taking and use of surface water. Method 2 gives effect to Policy 6.1.6.

Method 3, to encourage water harvesting or storage, can reduce the pressure on rivers and streams during times of low flow. Method 3 recognises that Taranaki receives plentiful supplies of water but because of the steep gradient of many of our catchments and extensive land drainage to improve agricultural production, much of this water is 'lost' quickly to the sea. Rather than continuing to rely on run-of-the-river flows, particularly during critical low flow periods, the Taranaki Regional Council will encourage water harvesting and storage, provided that adverse effects of the activities are avoided, remedied or mitigated. Method 3 gives effect to Policy 6.1.7.

Method 4 recognises that alternative sources of water, for example, groundwater, may be available, and may reduce or avoid demands on surface water resources. Similarly Methods 5 and 6, promoting the adoption of water-saving practices and encouraging or requiring water audits to identify water losses or wastage, will reduce abstraction demands and any adverse effects from the take. Methods 4, 5 and 6 give effect to Policies 6.1.6 and 6.1.7.

Monitoring and gathering information regarding the abstraction of surface water in the region is important in order to manage the use of water during periods of low flow. The Taranaki Regional Council maintains a system of flow recorders on streams and rivers throughout the region, and can if necessary undertake gaugings to accurately measure flows. Regular gathering of information on abstractions of surface water is also undertaken. Method 7 is considered to be more effective than requiring resource users to undertake metering, which can be inaccurate.

Method 8 recognises that liaising with water users regarding restrictions on water use and the efficient use of water during water shortages will minimise adverse effects both for water users and surface water resources. In addition, through Method 9 the Taranaki Regional Council will investigate possible methods, such as contingency Plans or response strategies that could be used in conjunction with water users to address water shortages. Methods 8 and 9 give effect to Policy 6.1.8.

Method 10 recognises that ongoing research will improve our knowledge and understanding of the physical, environmental and social/cultural characteristics and values of surface water resources and methods of avoiding, remedying or mitigating the adverse effects of their use. **Method 10 gives effect to Policies 6.1.3, 6.1.4, 6.1.5, 6.1.6 and 6.1.7.**

## Environmental results anticipated

- ER 1 Sustainable management of quantities, levels and flows of surface water.
- ER 2 Avoidance or mitigation of adverse environmental effects from the taking, use, damming or diversion of surface water.

## 6.2 Issue: Adverse effects on surface water quality from the discharge of contaminants from point sources

Point-source discharges are those discharges that occur from an identifiable location. The effects of point-source discharges are thus more easily identified and controlled than those from diffuse source discharges which arise from a wide or diffuse area. There are a number of point-source discharges throughout the region that have the potential to result in the contamination of surface water. These include both discharges to land (where there is potential for run-off to water) and directly to water. These discharges may have direct and measurable effects on water quality and aquatic ecosystems.

A large range of discharges are consented by the Taranaki Regional Council, including industrial discharges, oil wells, sewage, leachate, quarries, dairy processing, power stations, community water supply, stormwater, agricultural (dairy and piggery) and other minor discharges. Each of these types of discharges may have different effects on water quality. As well as the consented discharges the Taranaki Regional Council also regularly inspects a wide variety of other premises such as swimming pools, panel beaters, garages and public facilities that are not required to have discharge permits.

The elevated nutrient levels that can arise from point-source discharges and the interaction of these nutrient levels with other factors such as temperature can result in increased growths of aquatic plants. This can adversely affect the environment by degrading the water body for recreational use, degrading the stream bed habitat for aquatic life, and reducing the aesthetic values and natural character of the river or stream. The cumulative adverse effects on water quality from point-source discharges, particularly with increasing distance downstream, is of concern.

Discharges from farm dairies are the single most numerous point-source discharges to land and surface water in Taranaki, with approximately 2400 individual discharges.

The principal issues in relation to point-source discharges in Taranaki are:

- **Adverse effects on surface water quality from point-source discharges to land**

Point-source discharges to land in the region include discharges from septic tanks, discharges of fertiliser and agrichemicals, and spray irrigation of farm dairy effluent.

These discharges all have the potential to have adverse effects on surface water quality if they are not managed properly. Soil disturbance activities within the region can also give rise to discharges of stormwater which have the potential to have adverse effects on surface water.

- **Adverse effects on surface water quality from point-source discharges to water**

Point-source discharges to water include industrial discharges, discharges from farm dairy oxidation ponds, and discharges of municipal stormwater. For these discharges it is important that appropriate treatment and waste reduction techniques be used in order to minimise adverse effects on the quality of the receiving waters. Soil disturbance activities within the region can also give rise to discharges of stormwater which have the potential to have adverse effects on surface water.

- **Cumulative effects of point-source discharges**

In some rivers and streams in the region, a number of point-source discharges occur leading to a cumulative effect on water quality. This can result in a decline in water quality. In managing point-source discharges to water in the region, it is important that the potential cumulative effects of such discharges are taken into account.

### Objective

- |       |  |
|-------|--|
| OBJ   | To maintain and enhance the quality of the surface water resources of  |
| 6.2.1 | Taranaki by avoiding, remedying or mitigating the adverse effects of contaminants discharged to land and water from point-sources. |

### Policies

- |       |   |
|-------|---|
| POL   | In managing point-source discharges to land and water, the Taranaki                                       |
| 6.2.1 | Regional Council will recognise and provide for the different values and uses of surface water including: |
|       | (a) natural, ecological and amenity values;   |
|       | (b) the relationship of Tangata Whenua with water;  |

- (c) the maintenance and enhancement of aquatic ecosystems, and water quality for fisheries and fish spawning;
- (d) use of water for water supply purposes;
- (e) use of water for contact recreation.

POL 6.2.2 Discharges of contaminants or water to land or water from point sources should:

- (a) be carried out in a way that avoids, remedies or mitigates significant adverse effects on aquatic ecosystems;
- (b) maintain or enhance, after reasonable mixing, water quality of a standard that allows existing community use of that water for contact recreation, and water supply purposes, and maintains or enhances aquatic ecosystems;
- (c) be of a quality that ensures that the size or location of the zone required for reasonable mixing does not have a significant adverse effect on community use of fresh water or the life supporting capacity of water and aquatic ecosystems.

POL 6.2.3 Waste reduction and treatment practices which avoid, remedy or mitigate the adverse environmental effects of the point-source discharge of contaminants into water or onto or into land will be required. In assessing applications for resource consents to discharge contaminants or water to land or water, the Taranaki Regional Council will consider:

- (a) the natural, ecological and amenity values of the water body;
- (b) the relationship of Tangata Whenua with the water body;
- (c) the allowance for reasonable mixing zones and sufficient flows (determined in accordance with (a) to (k) of this policy);
- (d) the potential for cumulative effects;
- (e) the actual or potential risks to human and animal health from the discharge;
- (f) the degree to which the needs of other resource users may be compromised;
- (g) the effect of the discharge on the natural state of the receiving environment;
- (h) measures to avoid, remedy or mitigate the effects of contaminants to be discharged;

- (i) measures to reduce the volume and toxicity of the contaminant;
- (j) the use of the best practicable option for the treatment and disposal of contaminants;
- (k) the availability and effectiveness of alternative means of disposing of the contaminant (including discharge of wastewater into a municipal sewerage system).

POL 6.2.4 The Taranaki Regional Council may, where appropriate, require the adoption of the best practicable option to prevent or minimise adverse effects on the environment from the discharge of contaminants to land or water. When considering what is the best practicable option, the Taranaki Regional Council will give consideration to the following factors, in addition to those contained in the definition in the Act of best practicable option:

- (a) the capital, operating and maintenance costs of relative technical options, the effectiveness and reliability of each option in reducing the discharge, and the relative benefits to the environment offered by each option;
- (b) the weighing of costs in proportion to any benefits to the receiving environment to be gained by adopting the method or methods;
- (c) maintaining and enhancing the existing water quality in the area as far as practicable.

POL 6.2.5 The Taranaki Regional Council will promote the best practicable option for the disposal of farm dairy effluent. Disposal may either be to land or to surface water. Matters that will be considered in the assessment of the best practicable option include:

- (a) topography and land area;
- (b) weather and soil conditions;
- (c) assimilative capacity of receiving water;
- (d) cumulative adverse effects on receiving water;
- (e) use of systems appropriate to the receiving environment.

POL 6.2.6 The Taranaki Regional Council will advocate the tertiary treatment or land application of farm dairy effluent as a sustainable method of effluent disposal.

- POL 6.2.7 Contingency plans and other measures to reduce the risk and effect of any spill event will be required at all sites which are subject to the risk of a spill that may have significant actual or potential effects.

### Explanation

Objective 6.2.1 has been adopted to maintain and enhance water quality by managing the effects of point-source discharges to land and water.

Policy 6.2.1 outlines values and uses based on water quality in Taranaki that the Taranaki Regional Council will recognise when assessing resource consent applications for discharges of contaminants to land or water. The policy gives effect to Objective 6.2.1 and the objective contained in Section 3.3.6 of the Regional Policy Statement for Taranaki.

Policy 6.2.2 provides a statement of the Taranaki Regional Council's desired operational outcomes when considering applications to discharge contaminants to land or water. In effect the policy provides assistance to those wishing to commence or continue a discharge of contaminants, by providing a guideline as to the effects the Taranaki Regional Council considers undesirable in fresh water.

Policy 6.2.3 addresses discharges of contaminants or water to land or water. The policy requires waste reduction or treatment practices that avoid, remedy or mitigate adverse environmental effects. The policy also states matters that will be considered when an application to discharge contaminants to land or water is made. The variability in the natural quality of surface water bodies is addressed by the stated criteria, and suitable indicators such as MCI values, turbidity, and ammonia levels may be used to assess changes in water quality. The Taranaki Regional Council believes that with respect to Policy 6.2.3(c) (mixing zones), mixing should occur as quickly as practicable, and the mixing zone should not be regarded as the area where the principal treatment occurs. In assessing applications for resource consents to discharge contaminants to land or water, the Taranaki Regional Council will consider the values and management objectives for those water bodies listed in policies contained in Part Two of the Plan.

Policy 6.2.4 states that the Taranaki Regional Council may require those discharging contaminants to land or water to adopt the best practicable option to prevent or minimise the adverse effects of the discharge. Adoption of the best practicable option as an approach to the management of discharges to land or water is considered

particularly applicable in situations where discharge control technology is still evolving, where standards establishing a level of protection for a receiving environment cannot easily be established or justified, where the maintenance or enhancement of the existing water quality is desirable or where there is uncertainty over existing environmental quality.

The implementation of the best practicable option does not mean that those discharging contaminants to land or water will be required to use expensive or complex technology. In many cases, simple and relatively inexpensive methods are all that are required to achieve significant environmental protection. The conditions of the best practicable option will be determined by the Taranaki Regional Council in consultation with the discharger. This will involve the weighing of costs to the discharger and benefits to the receiving environment. By adopting a consultative approach to determining the best practicable option, in addition to in-house experience and expertise, the Taranaki Regional Council considers that sound decisions can be made in determining the best practicable option for use in any particular process or site.

Policy 6.2.5 recognises that dependent on individual circumstances the best practicable option for the disposal of farm dairy effluent will vary, and lists matters that will be considered in the assessment of what constitutes the best practicable option. Farm dairy effluent discharges are significant throughout the region, and adopting the best practicable option for treatment and disposal will ensure that adverse effects on the environment are avoided, remedied or mitigated. A properly designed and maintained treatment system will have fewer adverse effects on the environment. Guidelines on the best practicable option for treatment and disposal system design for discharges of farm dairy effluent to land or water are contained in Appendices VIIA and VIIB.

Policy 6.2.6 states that the Taranaki Regional Council will advocate the tertiary treatment or land application of farm dairy effluent. Provided the matters listed in (a) to (e) of Policy 6.2.5 are adequate, tertiary treatment or land application of farm dairy effluent are sustainable methods of disposal of farm dairy effluent. Promoting such methods of treatment and disposal will help to ensure that there are no significant adverse effects on surface waterways as a result of the discharge of farm dairy effluent.

Policy 6.2.7 states that applicants proposing activities with the potential for a discharge with significant adverse effects may be required to provide a spill contingency plan as a requirement for consideration in the granting of a discharge permit. In some instances,

if the risk of a spill, considering its probability and likely adverse effects on the receiving environment, is too great, consent may be declined instead of a contingency plan being required. Activities discharging to land or water may also have an effect in the coastal marine area, necessitating the consideration of 'cross-boundary' issues and the requirements of other plans and the Act.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.2.1 to 6.2.7:

- METH 1 **Apply regional rules** contained in **Section 7** of this Plan, to allow, regulate or prohibit point-source discharges of contaminants or water into water and/or into or onto land where the discharge may have an adverse effect on water.
- METH 2 **Have regard to water quality guidelines** contained in Appendix V of this Plan when assessing applications for resource consents to discharge contaminants to water or land.
- METH 3 **Encourage** the adoption of **waste minimisation or reduction** practices to reduce the quantity of contaminants being discharged to the environment.
- METH 4 **Apply**, where appropriate, in conjunction with the objectives, policies and rules in this plan, the **best practicable option** for preventing or minimising any actual or potential adverse effect on the environment of any discharge of a contaminant or water to water or into or onto land.
- METH 5 **Consider** the use of **riparian planting** as a means to mitigate the effects of point-source discharges, where appropriate.
- METH 6 **Support the preparation and implementation of codes of practice and guidelines** by industry aimed at reducing the effects of point-source discharges, and support their implementation and adoption where appropriate.

- METH 7 **Promote or require** in relation to **soil disturbance activities**, adherence to recognised or accepted industry **guidelines** or **codes of practice**.
- METH 8 **Promote** the continued improvement of the management of all farm dairy waste treatment and land application systems, with an inspection, advice and monitoring focus on those systems which are performing poorly.
- METH 9 **Apply conditions** on discharge permits to require the preparation of contaminant **spill contingency plans**.
- METH 10 **Advocate**, as appropriate, for territorial authorities to construct and upgrade stormwater reticulation systems and wastewater treatment systems where urban development makes such an upgrade desirable.
- METH 11 **Promote or undertake research** into methods of water quality management.

## Reasons

Method 1 has been adopted because, in respect of fixed point-source discharges of contaminants, regulation is a simple, efficient and effective method of controlling the adverse effects of those discharges. Method 1 gives effect to Policies 6.2.1 and 6.2.2.

Method 2 provides for the use of the water quality guidelines contained in Appendix V of the Plan when assessing resource consent applications. This method gives effect to Policy 6.2.1 and provides for the use, where appropriate, of direct measurable targets for water quality.

Method 3 gives effect to Policy 6.2.3 by encouraging the minimisation or reduction of the quantities of contaminants that are discharged to the environment. This is consistent with the Regional Policy Statement for Taranaki and section 5(2)(a) of the Act.

Method 4 provides where appropriate, a requirement to adopt the best practicable option and ensures that all dischargers face the same standards for operation. Method 4 gives effect to Policy 6.2.4.

Riparian planting has been shown to improve water quality by absorbing nutrients before they can reach water, and by shading resulting in lower temperatures. Method 5 allows the Taranaki Regional Council to consider the use of riparian planting to mitigate effects of discharges.

The Taranaki Regional Council will continue to support the preparation of industry codes of practice through Method 6. A number of codes of practice have already been prepared and can provide a Method of reducing the effects of point-source discharges through voluntary action. This will implement Policy 6.2.2. Only those codes of practice that are applicable to activities in the region may be adopted.

Soil disturbance activities throughout the region include roading and tracking, construction of pipelines, and soil disturbance activities associated with subdivision. Industry organisations and local authorities have prepared guidelines and codes of practice as a means to ensure that these activities do not have adverse effects on local surface waterbodies. Method 7 ensures that the Taranaki Regional Council can make use of these guidelines and codes of practice to maintain water quality that could be affected by discharges from soil disturbance activities.

Method 8 states that the Taranaki Regional Council will continue to monitor farm dairy discharges and promote the continued improvement of systems. This will lead to a reduction in adverse effects on the environment, and gives effect to Policy 6.2.2.

Method 9 gives effect to Policy 6.2.7, and will affect activities or discharges which have the potential for unauthorised discharges of contaminants to land or water. A workable contingency plan is an effective method of avoiding adverse effects from an accidental or negligent spillage of contaminants. To the advantage of consent holders, acceptable contingency plans assist in a defence given the strict liability provisions of the Act.

Method 10 seeks to achieve the upgrade of wastewater and stormwater systems in urban areas where development is occurring. Such systems will have fewer effects on the environment than multiple discharges of stormwater and discharges from on-site domestic wastewater treatment systems. The Taranaki Regional Council is responsible for controlling the adverse effects of the discharge of stormwater on the environment, and generally resource consents are required for the larger municipal discharges. The three territorial authorities in the region may provide stormwater disposal systems in urban areas, but are not able to control the discharge of contaminants to these systems. Method 10 is an appropriate method for the Taranaki Regional Council to use to assist in lessening the effects of stormwater discharges. Method 10 gives effect to Policies 6.2.2 and 6.2.3.

Method 11 recognises that ongoing research will improve our knowledge and understanding of the physical, environmental and social/cultural characteristics and values of surface water resources and methods of avoiding, remedying or mitigating the adverse effects of point-source discharges of contaminants. Method 11 gives effect to Policies 6.2.2, 6.2.3 and 6.2.4.

## Environmental results anticipated

- ER 1 Adverse effects of point-source discharges avoided, remedied or mitigated to:
- (a) provide for the values associated with surface water;
  - (b) ensure the maintenance of aquatic ecosystems;
  - (c) allow the use of water for water supply purposes;
  - (d) allow contact recreation.
- ER 2 Minimal occurrence of accidental spills of contaminants, and effective clean-up if spills occur.

### 6.3 Issue: Adverse effects on surface water quality from diffuse source discharges

Diffuse source discharges are those discharges that do not have a particular point of origin or are not introduced into receiving waters from a specific outlet, but arise from a wide or diffuse area, such as surface runoff to rivers and streams from farmland. Diffuse source discharges from intensive agricultural land are a largely unseen, but highly significant cause of decreases in surface water quality in Taranaki.

Taranaki is one of New Zealand's main agricultural regions. Dairying predominates on the ring plain where the number of dairy cattle has increased steadily. The number of dairy farms and the land area in dairying has also increased. Sheep and beef farming predominates in the inland hill country.

Surface runoff from agricultural land may contain organic matter, nutrients (particularly nitrate-nitrogen and phosphorus), sediments, pathogenic bacteria and residue from agrichemicals. These contaminants are derived from fertilisers, animal wastes, accelerated erosion from vegetation clearance and other land use activities. The level of contaminants in surface runoff is related to stocking rates and other farming practices. Other sources of diffuse source contaminants include runoff from farm tracks, culverts and stock yards and from urban development. Increasing intensification of urban areas within the region has led to an increase in the volume of stormwater entering local waterways. This stormwater picks up a variety of different contaminants as it flows over roads and properties, and therefore increases the diffuse source contaminants entering local waterways. The removal of riparian vegetation from the margins of rivers and streams, the drainage of wetlands and seepage zones, and the development of these areas for grazing, has increased surface runoff and the quantity of diffuse source contaminants entering water. Stock access to waterways also results in the direct discharge of sediments and animal excreta into water.

Diffuse source discharges contribute significantly to the progressive decline in water quality from upper to lower catchment areas.

The principal issues in relation to diffuse source discharges are:

- **The adverse effects of land use practices**

Land use practices such as clearing of vegetation, grazing of river and stream margins, entry of stock into waterways, inappropriate application of fertilisers and waste disposal practices on land, all have the potential to increase the amount of diffuse source contaminants entering surface water.

- **Loss of riparian vegetation**

Development of riparian margins and removal of riparian vegetation has resulted in the loss of the buffering capacity of riparian margins. The direct entry of contaminants into surface water also occurs due to stock access.

#### Objective

- |              |   |
|--------------|---|
| OBJ<br>6.3.1 | To maintain and enhance the quality of the surface water resources of Taranaki by avoiding, remedying or mitigating the adverse effects of contaminants discharged to water from diffuse sources. |
| OBJ<br>6.3.2 | To maintain and enhance the riparian margins of surface waterbodies in order to avoid, remedy, or mitigate the adverse effects of activities on water quality, and aquatic and instream habitat.  |

## Policies

- POL 6.3.1 Land use practices which avoid, remedy or mitigate adverse effects on water quality will be encouraged and promoted including:
- the careful application of appropriate types and quantities of fertiliser;
  - the careful application of the appropriate quantity of farm dairy effluent having regard to topography, land area, weather and soil conditions;
  - the careful use of agrichemicals;
  - land development and restoration of disturbed land to reduce diffuse source discharge of contaminants to water;
  - stock control procedures to avoid, remedy or mitigate the effects of stock entry to rivers and streams, trampling and pugging by stock, and accelerated erosion from overgrazing;
  - land management practices, including the discharge of contaminants to land, that avoid or reduce contamination of surface water;
  - land management practices that retain riparian buffer zones.
- POL 6.3.2 Existing riparian vegetation along the margins of Taranaki's rivers, streams and lakes will be protected and enhanced, as far as is practicable, for the purpose of maintaining or enhancing water quality and the effective functioning of riparian zones.
- POL 6.3.3 The Taranaki Regional Council will promote the restoration of riparian margins where riparian vegetation will provide net water quality benefits.
- POL 6.3.4 The retirement and Planting of riparian margins will be promoted, where appropriate, on all or parts of the ring plain catchments listed in Table 3.

**Table 3** Riparian management catchments

Hangatahua (Stony) River	Mangaoraka Stream	Punehu Stream*	Waimoku Stream
Huatoki Stream	Mangatoki Stream	Pungareere Stream*	Waingongoro River*

Kahouri Stream	Mangorei Stream	Tapuae Stream	Waiongana Stream*
Kai Auai Stream	Ngatoro Stream*	Taungatara Stream	Wairau Stream
Kapuni Stream*	Ngatoro-nui Stream	Tawhiti Stream	Waitara River*
Kaupokonui Stream*	Oakura River	Te Henui Stream	Waiwhakaiho River*
Maketawa Stream	Okahu Stream	Timaru Stream	Warea River
Manganui River*	Patea River*	Waiaua River*	

\* Waterways which are also community water supply catchments

### Explanation

Objective 6.3.1 has been adopted to maintain and enhance water quality by avoiding, remedying or mitigating the adverse effects of diffuse source discharges on the quality of water. This is a major issue for Taranaki because of the actual and potential adverse effects on water resources arising from intensive agricultural and forestry land use.

Objective 6.3.2 has been adopted to address adverse effects of activities on water quality through the maintenance and enhancement of riparian margins in the region. Riparian margins assist in the mitigation of the adverse effects of diffuse source discharges of contaminants by providing buffering capacity and preventing direct entry of stock into waterways.

Policy 6.3.1 outlines management practices that will contribute to maintaining and enhancing water quality by reducing diffuse source discharges of contaminants. Policy 6.3.1 provides means of avoiding, remedying or mitigating adverse effects from diffuse source discharges.

Policies 6.3.2 and 6.3.3 have been adopted to give effect to Objective 6.3.1. By protecting and enhancing existing riparian vegetation and promoting the restoration of riparian margins, significant water quality benefits can be achieved. Management of riparian zones and the protection of streambank vegetation is important in controlling

diffuse source contamination from land and improving the water quality of adjacent waterways.

Policy 6.3.4 lists catchments where the retirement and planting of riparian margins will be promoted. The purpose of Policy 6.3.4 is to avoid, remedy or mitigate the adverse water quality effects resulting from the removal of riparian vegetation and to maximise the benefits of riparian margins within the named catchments. The catchments listed in Policy 6.3.4 have been selected because they already receive relatively high volumes of diffuse source contamination and because of the potential benefits of riparian management in enhancing the value of these catchments for water supply purposes, scenic and recreational use, Tangata Whenua cultural and spiritual values and in-stream habitat and fishery values. Further guidance on the promotion of the retirement and planting of riparian margins in other catchments can be found in the Regional Policy Statement for Taranaki.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.3.1-6.3.4:

- METH 1 **Promote**, through the Taranaki Regional Council's **sustainable land management programme**, sustainable land use practices, that will avoid, remedy or mitigate the adverse effects of diffuse source discharges.
- METH 2 **Promote the planting and appropriate management** of riparian margins through the implementation of the Taranaki Regional Council's **riparian management strategy**, including the preparation of riparian management plans in conjunction with landowners.
- METH 3 **Support** the preparation and adoption of **codes of practice** by industry aimed at reducing diffuse source discharges, and support their implementation and adoption where appropriate.
- METH 4 **Support** the preparation and adoption by the agricultural sector of **codes of practice and farm standards** for quality assurance schemes to reduce diffuse source discharges.

- METH 5 **Continue to support** the work of the Taranaki Tree Trust.
- METH 6 Consider the use of **economic instruments** for the promotion of riparian retirement and planting.
- METH 7 As part of the preparation of a **Regional Soil Plan for Taranaki**, include objectives, policies and methods to address vegetation disturbance issues that may give rise to the discharge of diffuse source contaminants.
- METH 8 **Advocate to territorial authorities** that policies, rules and guidelines be included in district plans and that conditions on resource consents be imposed, to avoid, remedy or mitigate the adverse effects of land use activities and management practices on water quality.
- METH 9 **Advocate** and **promote** through district plans, resource consents and voluntary agreements, the retention or planting of riparian vegetation, including through district rules for the creation of esplanade reserves, esplanade strips and access strips when land is subdivided.
- METH 10 **Prepare guidelines** on principles and practices of **riparian management** including planting, fencing and management.

## Reasons

Method 1 continues the Taranaki Regional Council's sustainable land management programme and will be used to implement the policies. This programme involves the provision of a range of advisory services. Management plans prepared under the programme may include comprehensive farm plans, agroforestry plans, riparian plans and conservation plans. These plans and other advisory services are a valuable method of promoting sustainable land management and reducing the adverse effects of diffuse source discharges.

Method 2 recognises the Taranaki Regional Council's Riparian Management Strategy for Taranaki and provides for its implementation in relation to riparian margins. This method has been adopted in preference to the use of rules to require the fencing and planting of riparian margins because it is considered to be a more effective means of achieving riparian management objectives and the objectives of this Plan. Should the

monitoring of the Plan, the Riparian Management Strategy and the State of the Environment Monitoring Programme demonstrate that the voluntary approach is not achieving the objectives, alternative measures such as incentives or regulation will be considered. Method 2 gives effect to Policy 6.3.3.

The Taranaki Regional Council will continue to support the preparation of industry codes of practice through Method 3. A number of codes of practice have already been prepared and can provide a method of reducing diffuse source discharges through voluntary action. This will implement Policy 6.3.1. Only those codes of practice that are applicable to activities in the region may be adopted.

Through Method 4 the Taranaki Regional Council will support the preparation and adoption of codes of practice and farm standards by the agricultural sector. A number of codes of practice and guidelines have already been prepared and these offer a method of reducing diffuse source discharges through voluntary action. Method 4 gives effect to Policy 6.3.1.

Method 5 gives effect to Policy 6.3.2 by providing a commitment to continued support of the Taranaki Tree Trust. The Taranaki Tree Trust is a regional initiative that promotes the protection of Taranaki's natural heritage. This includes surveying, purchasing, retiring and/or planting of riparian margins. The Trust is thus able to help in the protection of riparian margins.

Method 6 provides for economic instruments such as incentives or rates relief to be applied to the management of diffuse source discharges. Incentives such as fencing materials or plants could be used to increase riparian retirement and planting. This method will be used to implement Policies 6.3.2, 6.3.3 and 6.3.4.

The Taranaki Regional Council is preparing a Regional Soil Plan. Method 7 notes that it is likely that there will be policies recognising the impacts of certain land use activities on water. The Regional Soil Plan is likely to emphasise advice and education, codes of practice and the preparation of individual farm management plans to prevent or minimise adverse effects on water quality. Method 7 gives effect to Policy 6.3.1.

Territorial authorities have functions under section 31 of the Act related to controlling the effects of the use of land. By advocating that provisions be included in district plans or conditions on resource consents under Method 8, the Taranaki Regional Council can

aim to achieve integrated management of diffuse source discharges and give effect to Policy 6.3.1.

The creation of esplanade reserves, strips and access strips is another means of providing riparian buffer zones, and can either be done on subdivision or created by voluntary means. Method 9 states that the Taranaki Regional Council will advocate and promote the retaining and planting of riparian vegetation through a variety of means including conditions on resource consents and voluntary agreements. This will be promoted and advocated to both territorial local authorities and individuals. Method 9 gives effect to Policies 6.3.2 and 6.3.4.

Method 10 provides for the preparation of guidelines covering specific activities or subject areas, as a means of conveying information and advice. This method may be used either as an alternative to, or in conjunction with, regional rules in this Plan, depending on what will be more efficient and effective in achieving the purpose and objectives of the Plan. Guidelines on permitted activities are intended to promote methods to avoid, remedy or mitigate adverse effects on the environment in line with the conditions established by rules in this Plan. Method 10 gives effect to Policies 6.3.2-6.3.4.

## Environmental results anticipated

- |      |  |
|------|--|
| ER 1 | Adverse effects of diffuse source discharges avoided, remedied or mitigated. |
| ER 2 | Protection, restoration and enhancement of riparian vegetation.              |

## 6.4 Issue: Adverse effects on the environment from the taking and use of groundwater

The Taranaki groundwater resource is considered to be of significance, and is used throughout much of the region, but has been only minimally researched. The system is considered to be largely unstressed, with large volumes of water in storage, significant recharge volumes and only minor abstractions. Farmers in Taranaki make extensive use of groundwater for domestic and stock watering purposes. About 13% of total stock and domestic water use is from groundwater, and about 5% of total water use for any consumptive purpose is from groundwater. The estimated level of groundwater abstraction in Taranaki is 23,498 m<sup>3</sup>/day, including consented and permitted uses. Given that groundwater recharge is estimated at 4.6 million m<sup>3</sup>/day the existing level of groundwater use is only 0.5% of the total recharge. There is increasing use of, and interest in, groundwater, particularly deep groundwater, in north and south Taranaki. This is largely a result of the restrictions on using surface water imposed by limited surface water availability, and high suspended sediment levels and associated treatment costs where water is available.

Most individual groundwater use in the region is for stock and/or domestic purposes involving small volumes and low rates of abstraction with generally no significant adverse environmental effects. However, excessive volumes or rates of abstraction may result in adverse effects on the environment or other groundwater users. The principal issues in relation to the taking and use of groundwater are:

- **Effects on surface water including river flows, lake levels and wetland levels**

Groundwater abstraction from aquifers in close proximity to surface water bodies may result in the drawdown of levels in the surface water body as well as the aquifer. This is termed interference with the surface water body. A long-term decline in groundwater levels will have a similar effect.

- **Interference between adjacent wells or bores**

Groundwater abstraction from a well or bore in close proximity to one or more other wells or bores may result in the drawdown of water-levels in the nearby wells or bore(s).

- **Inflow of poor quality recharge water**

Groundwater abstraction from a well or bore results in a cone of depression in groundwater levels around the well or bore under drawdown conditions. Poor quality water may be drawn into the cone of depression and therefore into the aquifer by the abstraction.

- **Decline in groundwater levels**

A long-term decline in groundwater levels could occur if exploitation exceeds the natural recharge of the resource.

- **Saltwater intrusion**

Groundwater abstraction in close proximity to the sea may lead to the inflow of seawater to the fresh water aquifer as drawdown occurs.

All of the issues listed above may be symptoms of unsustainable groundwater use. Any abstraction of groundwater from an aquifer will result in some depletion of the resource. Sustainable use of groundwater must be in a way, or at a rate that does not exceed the recharge rate, at least in the long-term. Short-term fluctuations in groundwater levels are normal and do not necessarily indicate that the sustainable yield has been exceeded.

### Objective

OBJ  
6.4.1 To promote the sustainable management of groundwater resources by avoiding, remedying or mitigating any adverse effects of the taking and use of groundwater.

### Policies

POL  
6.4.1 The taking of water from shallow groundwater within close proximity of a surface water body may affect water levels and flows in the surface water body and accordingly any consideration of such an abstraction will take into account:

- (a) the contribution of groundwater to surface flows;

- (b) the effects of any abstraction on the surface water body at the location in question.
- POL 6.4.2 The taking of groundwater will be limited to the sustainable yield of the aquifer to ensure that groundwater will be available for present and future generations. When assessing resource consents for the taking of groundwater, the Taranaki Regional Council will take into account the need to:
- (a) maintain a sustainable yield of the aquifer;
  - (b) avoid the inflow of poor quality water into aquifers;
  - (c) avoid saltwater intrusion into aquifers;
  - (d) avoid significant interference with existing lawfully established and sustainable water uses.
- POL 6.4.3 When assessing resource consents for the taking and use of groundwater, the Taranaki Regional Council will take into account:
- (a) the need to ensure groundwater is available for reasonable domestic needs, stock watering requirements and fire fighting purposes;
  - (b) the need for the volumes of water sought;
  - (c) the need to use water efficiently and with a minimum of waste;
  - (d) the degree to which use of groundwater will avoid, remedy or mitigate adverse effects on surface water resources;
  - (e) the need to install systems to accurately measure the volumes of water abstracted.

### Explanation

Objective 6.4.1 has been adopted to provide for the sustainable management of the groundwater resource of Taranaki, by avoiding, remedying or mitigating any adverse effects that may arise as a result of the abstraction of groundwater. This objective is consistent with the objective and Policy One of Issue 3.3.2 of the Regional Policy Statement for Taranaki.

An abstraction of shallow groundwater in close proximity to a surface water body will draw water from the aquifer and the surface water body. The systems are naturally connected. Under these circumstances Policy 6.4.1 states that when considering an

abstraction the actual or potential adverse effects on surface water will be taken into account. Where the taking of shallow groundwater in close proximity to a surface water body affects, or is likely to affect, water levels and flows in the surface water body, the Taranaki Regional Council will apply the same policies as would apply to a take directly from the adjacent surface water body, contained under Issue 6.1 of this Plan.

Policy 6.4.2 states that the groundwater resources of Taranaki will be managed on a sustainable yield basis. The concept of sustainable yield applies to both the quantity and quality aspects of groundwater. With respect to quantity, sustainable yield means ensuring that the abstraction rate does not cause long-term depletion of the groundwater resource. Similarly, sustainable yield is the rate at which groundwater may be abstracted without resulting in a decline in water quality by the influx of poor quality water or saltwater into the aquifer. Policy 6.4.2 is also intended to provide protection to existing water users, provided that their existing use is lawfully established and sustainable. Minor interference may be acceptable provided overall sustainable yield is maintained. This recognises the investment made in abstracting the groundwater resource by existing users. The concept of sustainable yield is implemented through the standards, terms and conditions contained within regional rules.

Policy 6.4.3 establishes criteria that the Taranaki Regional Council will take into account when considering resource consent applications for the taking and use of groundwater. The criteria in Policy 6.4.3 are in addition to the requirements set out in Policies 6.4.1 and 6.4.2 regarding flow depletion and sustainable yield. The policy states that groundwater is to be available for reasonable domestic needs, stock watering and fire fighting. This reflects the requirements of section 14(3) of the Act.

The Taranaki Regional Council will require applicants to justify the need for the volumes or rates of groundwater use sought. Related to this is the need for groundwater users to use water efficiently and with a minimum of waste. The Taranaki Regional Council will also consider the degree to which use of groundwater will avoid, remedy or mitigate adverse effects on surface water. Groundwater may be an appropriate alternative source of water where rivers are under pressure from abstractive uses or where the Taranaki Regional Council wishes to maintain surface water body levels and flows.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.4.1-6.4.3:

- METH 1 **Apply regional rules** contained in **section 7** of this Plan to regulate or allow the taking and use of groundwater.
- METH 2 **Promote** through **education, information and advice**, conservation and efficiency of use of groundwater resources.

## Reasons

The taking and use of groundwater is prohibited under section 14 of the Act unless the taking or use is allowed by a rule in a regional plan or a resource consent (or is for reasonable domestic needs, stock watering or fire fighting purposes as provided for in section 14(3) of the Act).

Method 1, use of regional rules, has been adopted to provide for minor takes of groundwater without the need for a resource consent, provided the stated conditions are met. This provides certainty for resource users and efficiency in administration, while ensuring sustainability of the groundwater resources of the region and the avoidance, mitigation or remediation of adverse environmental effects. Method 1 gives effect to Policies 6.4.1, 6.4.2 and 6.4.3.

Method 2, to promote conservation and efficiency of use of groundwater, aims to minimise excessive or wasteful use of groundwater. This method can assist in avoiding, remedying or mitigating adverse effects on the environment from use of groundwater resources. It can be used in conjunction with regional rules and the implementation of regional policy. Method 2 gives effect to Policy 6.4.3.

## Environmental results anticipated

- ER 1 Sustainable use, development and protection of groundwater.

- ER 2 Avoidance or mitigation of adverse effects on groundwater yields and surface water levels and flows.

## 6.5 Issue: Adverse effects on groundwater quality from the discharge of contaminants to land and water

Point-source (direct) and non-point source (diffuse) discharges occur to groundwater due to industrial, agricultural and domestic activities.

Point-source discharges to groundwater may occur through:

- construction of wells or bores;
- leaky bore casings;
- injection wells.

Diffuse source discharges to groundwater include:

- leaching from urine patches and dung from grazing animals;
- leaching from the land application of treated or untreated effluent;
- leaching from fertilisers and pesticides;
- leaching from discharges from on-site domestic wastewater treatment systems;
- seepage from effluent treatment ponds;
- leaky storage facilities (fuel tanks, bunded areas).

The principal issues in relation to groundwater quality are:

- **Adverse effects from point-source discharges**

Groundwater may become contaminated by drilling of wells, bores or piezometers for water or hydrocarbon exploration and production, or as a result of open, uncased, old or damaged bores or wells, or as a result of deep well injection of contaminants. Bores and wells therefore need to be constructed and managed to acceptable standards to avoid, remedy or mitigate adverse effects on groundwater quality. Similarly, the discharge of contaminants via deep-well injection must avoid, remedy or mitigate adverse effects on groundwater.

- **Adverse effects from diffuse source discharges**

Diffuse source contamination of groundwater generally only results after contaminants discharged onto or into land are leached to the water table. Diffuse source contamination only affects unconfined, shallow groundwater, less than 20 metres below

the surface. Further policies for addressing diffuse source discharges can be found in Issue 6.3. Monitoring undertaken by the Taranaki Regional Council has demonstrated elevated nitrate levels in some groundwater in the region.

### Objectives

- OBJ 6.5.1 To avoid, remedy or mitigate adverse effects on groundwater quality from bore and well drilling, construction or alteration.
- OBJ 6.5.2 To promote the sustainable management of groundwater while avoiding, remedying or mitigating adverse effects on groundwater quality from the discharge of contaminants.

### Policies

- POL 6.5.1 Drilling and well or bore construction or alteration will be managed to prevent aquifer cross-contamination and aquifer contamination from the surface due to open or unsealed bores or wells, or contamination from other drilling activities.
- POL 6.5.2 Old, damaged and unused wells or bores will be managed to prevent adverse effects on groundwater quality from contamination.
- POL 6.5.3 The Taranaki Regional Council will manage the discharge of contaminants to land and water such that any actual or potential adverse effects on groundwater quality are avoided, remedied or mitigated.
- POL 6.5.4 The deepwell injection of wastewater or other contaminants to groundwater will only be allowed at depths and locations and under circumstances in which there is no significant risk of contamination of groundwater resources which may be used for consumptive purposes.
- POL 6.5.5 Information on all bores and those wells greater than 10 metres in depth will be gathered to assist in promoting the sustainable management of groundwater.

## Explanation

Objective 6.5.1 has been adopted to avoid, remedy or mitigate adverse effects on groundwater quality from the drilling, construction or alteration of wells or bores.

Objective 6.5.2 has been adopted to maintain and enhance groundwater quality by managing the effects of discharges of contaminants, and thus provide for the sustainable management of groundwater.

Policy 6.5.1 recognises that an open or unsealed (leaky) well or borehole may provide passage for contaminants from the surface or between aquifers (cross-contamination) allowing contamination of other aquifers or water supplies. The policy provides for the drilling, construction or alteration of wells or bores provided groundwater contamination is avoided.

Policy 6.5.2 recognises that old or damaged wells or bores, especially partially cased or uncased bores, can deteriorate, collapse or simply remain in situ as conduits for contamination from either the surface or aquifer cross-contamination or both. Policy 6.5.2 states that such bores and wells will be managed to prevent adverse effects on groundwater quality.

Policy 6.5.3 states that discharges of contaminants will be managed to avoid, remedy or mitigate adverse effects on groundwater. The Taranaki Regional Council will continue to monitor and investigate groundwater quality, focussing on the effects of intensification of land use and subsequent effects on water. Further related policies can be found in Issues 6.2 and 6.3. The application of these policies to the discharge of contaminants, will also avoid, remedy or mitigate adverse effects on groundwater quality.

Policy 6.5.4 states the criteria for assessing resource consent applications to discharge contaminants by deepwell injection. This is a method of disposal used in hydrocarbon exploration. The policy states that such discharges will only be allowed where they are not likely to contaminate potable sources of groundwater.

Policy 6.5.5 recognises that groundwater users can contribute to the collection of information about characteristics of groundwater in Taranaki. This information can be easily collected in the form of bore completion logs, which provide information on both the drilling procedures and the characteristics of the aquifer.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.5.1-6.5.5:

- METH 1 **Apply regional rules** contained in **section 7** of this Plan to allow or regulate the drilling and/or construction of bores and wells and the discharge of contaminants to groundwater by deep-well injection.
- METH 2 **Require** that bore completion logs be prepared for all bores in the region and for wells over 10 metres in depth. The information to be provided with a bore completion log will include:
- (a) location and bore owner;
  - (b) drillers' log;
  - (c) length and placement of casing and screens;
  - (d) bore or well capacity and pump information;
  - (e) standing water-level and any aquifer observations.
- METH 3 **Require** deepwell injectors and other point-source discharges that have a risk of adversely affecting the quality of actual or potential water supply aquifers, to demonstrate how this risk will be reduced to levels that are not significant.
- METH 4 **Prepare guidelines** as a means of providing **advice** and avoiding, remedying or mitigating the adverse effects of activities on groundwater, including information on:
- (a) drilling of wells and bores, including the preparation of bore completion logs;
  - (b) construction or alteration of wells and bores;
  - (c) abandonment of old, damaged or unused wells and bores;
  - (d) permitted point-source discharges;
  - (e) control of regulated point-source discharges, eg land application of effluent; and
  - (f) management of diffuse source discharges.
- METH 5 **Provide advice, information and technical assistance** on appropriate methods of well or bore construction, maintenance, alteration, or

abandonment and methods of avoiding, remedying or mitigating the adverse effects of these activities.

## Reasons

The discharge of contaminants to water, or to land in circumstances where the contaminant may enter water, is restricted by the Act, unless this Plan says otherwise. The construction, alteration, maintenance or abandonment of wells and bores, and the discharge of contaminants by deepwell injection or as a result of leaky bore casings, have the potential to cause adverse effects on groundwater quality. Method 1, use of regional rules, has therefore been adopted because regional rules specifying standards, terms and conditions, will provide appropriate levels of control over activities that may affect groundwater quality in accordance with their effects on the environment. Method 1 gives effect to Policies 6.5.1, 6.5.3 and 6.5.4.

Method 2 requires that bore completion logs will be prepared on completion of a bore. The bore completion log will provide necessary information for sustainable groundwater management. Method 2 achieves two outcomes. First it will enable the groundwater resource of Taranaki to be more fully understood. Second, it will enable the cumulative pressure being placed on groundwater from abstraction or potential contamination to be monitored. Method 2 gives effect to Policy 6.5.1.

Method 3 requires point-source dischargers of contaminants to demonstrate how the risk of affecting potable water will be reduced. This method gives effect to Objective 6.5.2 and Policy 6.5.4. Policies relating to diffuse source discharges can be found under Issue 6.3.

Method 4 provides for the preparation of guidelines covering the drilling, construction, alteration or abandonment of bores and wells, and the discharge of contaminants to land and water. Through guidelines, both the landowners and the drillers will be encouraged to adopt good practices to prevent contamination of water supplies and aquifers. Guidelines will be used in conjunction with the rules in the Plan to promote methods to avoid or mitigate any adverse effects from these activities in line with the standards, terms and conditions in the Plan. Method 4 gives effect to Policies 6.5.1-6.5.5.

Method 5 requires the provision of advice, information and technical assistance. This is a means of avoiding, remedying or mitigating adverse effects from the drilling and construction of wells or bores and can be used in conjunction with regional rules. This

method formalises the approach currently taken by the Taranaki Regional Council. Method 5 gives effect to Policies 6.5.1 and 6.5.2.

## Environmental results anticipated

- ER 1 Avoidance or mitigation of adverse effects on groundwater quality from the drilling, construction, maintenance or abandonment of wells and bores, or from the discharge of contaminants to land or water.
- ER 2 The maintenance of groundwater quality that allows the water to be used for domestic, industrial and primary production purposes.

## 6.6 Issue: Adverse effects on the environment from uses of river and lake beds

Uses of river and lake beds in Taranaki are numerous and encompass a wide variety of forms. Communities and people derive considerable economic, social and safety benefits from these uses. However, uses of river and lake beds can cause a number of adverse effects, both physical and ecological. Bank and bed erosion and bed accretion may be caused by altering the flow characteristics or sediment budget of a river. Structures within river channels and the excavation of the bed may divert river flows and change channel morphology, causing erosion of the bed and banks, and may disturb habitat or create barriers to fish movement. Disturbance of the beds of rivers and lakes results in turbidity and discolouration of water, and may adversely affect aquatic life through the creation of barriers to fish movement and migration, the loss of habitat of plants, invertebrates, fish and other species, and disruption to fish spawning through smothering of spawning areas.

Certain uses of river and lake beds can protect water quality and provide other positive environmental effects. For example, culverts and other access structures can avoid the direct passage of vehicles or stock through a river and thereby avoid regular bed disturbance and the discharge of animal wastes to water. River and flood control works protect land and property from the adverse effects of flooding and erosion. However, the construction and positioning of structures does need to be carefully planned so as to ensure that adverse effects are avoided, remedied or mitigated.

Flooding is a natural hazard which can have significant adverse environmental effects. Most of these effects occur on land outside of river beds in floodplains and include threats to people and livestock, and the destruction of property. Similarly, the erosion of river banks from flood flows and channel meander can cause the loss of soils and other assets. Although Taranaki does not have a high flood potential on a national scale, inappropriate development within river beds or on the adjacent floodplain can increase the risk of flooding and erosion.

The principal issues in relation to uses of river and lake beds are:

- **Adverse effects on water quality**

Adverse effects on water quality can arise from placement or erection of structures, removal of vegetation and extraction of bed material. These types of activities can cause turbidity and discolouration of water, and adversely affect aquatic life by the smothering of aquatic habitat and the asphyxiation of fish and other aquatic life.

- **Adverse effects on aquatic life**

Uses of river and lake beds may adversely affect aquatic life through the creation of barriers to fish movement and migration and the loss of habitat of plants, invertebrates, fish and other species.

- **Adverse effects of erosion and accretion**

Uses of river and lake beds may cause bank and bed erosion and bed accretion by altering the flow characteristics or sediment budget of a river, and may also affect the stability of other structures. The accretion of sediment and bed material increases the risk of flooding and may also cause erosion of river banks.

- **Adverse effects of flooding**

Uses of river beds that result in a diversion or barrier to the river flow have the potential to cause or accentuate the impoundment of water and flooding on upstream or adjacent properties. In addition, the use and inappropriate development of floodplain areas can greatly increase the risk and adverse effects of flooding and erosion hazards.

### Objectives

- |       |  |
|-------|--|
| OBJ   | To promote the sustainable management of the beds of rivers and lakes by                         |
| 6.6.1 | avoiding, remedying or mitigating any adverse effects of the use of the beds of rivers or lakes. |
| OBJ   | To avoid, remedy or mitigate the adverse effects of flooding and erosion                         |
| 6.6.2 | on land uses in floodplains.   |

## Policies

- POL 6.6.1 The placement or maintenance of structures within river and lake beds will be managed so as to avoid, remedy or mitigate:
- (a) adverse effects on the habitat of aquatic and terrestrial flora and fauna, including the passage of fish;
  - (b) erosion or accretion of river and lake beds or banks;
  - (c) the exposure or destabilisation of existing structures within the bed;
  - (d) the effects of flooding and erosion;
  - (e) adverse effects on water quality and aquatic life.
- POL 6.6.2 Structures in or on river and lake beds will be required to provide for the unrestricted passage of fish, or will be required to contain suitable facilities to enable fish passage through or past the structure.
- POL 6.6.3 The Taranaki Regional Council will require that structures in river and lake beds be designed, placed and maintained to avoid reducing the capacity of river channels to convey flood flows, the unintentional impoundment of water and adverse effects of flooding on adjacent properties and other structures within river beds.
- POL 6.6.4 The Taranaki Regional Council will:
- (a) provide for the removal of vegetation and other material, and any associated temporary disturbances to river and lake beds, for the purpose of avoiding or mitigating the adverse effects of flooding;
  - (b) control the introduction and planting of plants.
- POL 6.6.5 The extraction of material (ie sand, gravel and rock) from river beds, will be prohibited, except for:
- (a) extraction of sand and gravel from the dry areas of river beds to meet reasonable domestic and on-farm needs;
  - (b) the purpose of avoiding, remedying or mitigating the adverse effects of flooding and erosion;
  - (c) as necessary for the placement and maintenance of structures within the bed.

- POL 6.6.6 Disturbances to river and lake beds shall be timed, and/or carried out in a manner and location, that will avoid, remedy or mitigate any adverse effects on seasonal fish migration or spawning, including the disturbance of:
- (a) gravel bedded rivers on the ring plain between May and October;
  - (b) lower river and estuarine areas between March and June.
  - (c) lower river and estuarine areas between mid-August and end-November.
- POL 6.6.7 The Taranaki Regional Council will promote the removal or decommissioning of unused structures in or on river beds which restrict fish passage or cause flooding and erosion problems, provided the advantages of removal or decommissioning outweigh the disadvantages, taking into account any actual and potential adverse effects associated with the removal or decommissioning.
- POL 6.6.8 The Taranaki Regional Council will advocate and promote the avoidance and mitigation of the adverse effects of flooding on land use in floodplains, as a natural hazard of regional significance.
- POL 6.6.9 When assessing resource consent applications for uses of river and lake beds, the Taranaki Regional Council will consider:
- (a) the natural, ecological and amenity values of the water bodies;
  - (b) the relationship of Tangata Whenua with the water body;
  - (c) adverse effects on water quality and aquatic life and instream habitat;
  - (d) possible mitigation measures including appropriate timing of works, provision of fish passage and provision of alternative access.
- POL 6.6.10 When assessing resource consent applications for river and flood control works, the Taranaki Regional Council will consider:
- (a) the matters contained in Policy 6.6.9;
  - (b) the degree of flood risk;
  - (c) the extent and scale of the potential adverse effects of flooding;
  - (d) the costs and benefits to people and the community;
  - (e) the likely effectiveness of the river and flood control works and the practicality of alternative means of reducing flood risk, including the

- relocation of existing development or infrastructure away from areas of flooding risk;
- (f) any actual or potential adverse effects on the environment.

## Explanation

Objective 6.6.1 has been adopted in recognition that river and lake bed uses can have a number of adverse effects, such as the placement of structures causing erosion elsewhere. Flooding and erosion can also have adverse effects, which can be exacerbated by uses of river and lake beds. Objective 6.6.1 is consistent with the water quality objectives adopted in the Regional Policy Statement for Taranaki and in Issue 6.2 of this Plan.

Both the Taranaki Regional Council and the territorial authorities within Taranaki have responsibilities to control land use for the purpose of avoiding and mitigating natural hazards under sections 30(1)(c)(iv) and 31(b) of the Act. These roles have been clarified in the Regional Policy Statement for Taranaki. The Taranaki Regional Council has the function to avoid and mitigate natural hazards specifically in relation to land in river and lake beds (and in the coastal marine area), while territorial authorities have this function in relation to land elsewhere. Objective 6.6.2 has been adopted because of the potential for flooding and erosion to cause adverse effects on land uses in floodplains. The intent of the objective is to ensure that the risk of flooding arising as a result of uses of river and lake beds is avoided, remedied or mitigated.

Policy 6.6.1 seeks to avoid, remedy or mitigate adverse effects of the placement or maintenance of structures. Part (a) of Policy 6.6.1 seeks to avoid any further loss of aquatic habitat and to enhance habitat and fish passage where opportunities exist. Part (b) of Policy 6.6.1 relates to erosion or accretion of river and lake beds. The intention of part (b) is that structures be designed and placed in a manner that avoids altering river flows, and avoids, remedies or mitigates any erosion or accretion of the bed. The placement or maintenance of structures can affect existing structures in the bed. Part (c) of Policy 6.6.1 aims to avoid, remedy or mitigate the exposure or destabilisation of existing structures. Part (d) of Policy 6.6.1 relates to the placement and maintenance of structures for the purpose of avoiding, remedying or mitigating the adverse effects of flooding and erosion. Part (e) aims to ensure that the placement or maintenance of

structures is carried out in such a way that adverse effects are avoided, remedied or mitigated. Policy 6.6.1 gives effect to Objectives 6.6.1 and 6.6.2.

Policy 6.6.2 is to ensure that both new and existing structures in river and lake beds do not restrict fish passage. Where existing structures (eg dams and weirs) impede fish movement, construction of suitable fish passage facilities will be required. Similarly, new dams and weirs, likely to restrict fish movement, will need to provide suitable fish passage. This policy is consistent with the Regional Policy Statement for Taranaki. Resource users will also need to be aware of and comply with the freshwater fisheries legislation (1983).

Policy 6.6.3 aims to avoid localised flooding resulting from poorly designed or maintained structures in river beds, by ensuring that structures in river beds do not reduce the capacity of channels to convey flood flows, and that adverse effects of flooding on adjoining properties and other structures are avoided.

Policy 6.6.4 promotes the control and removal of vegetation and other material that is obstructing river channels or lake beds and therefore increasing the risk of flooding, and also controls the planting and introduction of plants. The removal of vegetation is allowed by section 13(2)(b) of the Act if there is no relevant regional rule. However, given Policy 6.3.4 of this Plan, which seeks to encourage the planting of vegetation in riparian margins, Policy 6.6.4 is necessary to clarify the situation in which the removal of vegetation is appropriate. Policy 6.6.4 recognises that disturbance of river and lake beds is associated with the removal of vegetation from the bed. Planting and introduction of plants is restricted by section 13(1) of the Act and needs to be managed to avoid, remedy or mitigate adverse effects.

Policy 6.6.5 only allows the extraction of material from river beds for meeting reasonable domestic and on-farm needs, for river and flood control purposes, and as necessary to place and maintain structures within river beds. Historically, gravel extraction from Taranaki river beds has caused significant bed degradation eg, in the Waiwhakaiho River and Kapuni Stream. In general, gravel extraction directly from river beds, when there are adequate sources of gravel elsewhere, is considered to cause unacceptable adverse effects on water quality, aquatic life and channel morphology. However, in some cases gravel extraction from river beds is necessary to avoid the occurrence of natural hazards such as flooding and erosion eg, where bed material accumulates to the point where the cross-sectional area of the channel is significantly

reduced. Policy 6.6.5(a) provides for the extraction of sand and gravel from the dry area of river beds to meet reasonable domestic and on-farm needs. The low level of extraction associated with these needs has not been found to cause bed degradation and is unlikely to do so in the future. Restricting extraction to the dry areas of river beds will avoid adverse effects on water quality and aquatic life. Policy 6.6.5(c) recognises that there may need to be some extraction of material associated with the placement and maintenance of structures within the bed of a river.

Policy 6.6.6 requires that the disturbance of river and lake beds be confined to periods and locations that avoid adverse effects on spawning or migrating fish. Specific provision is made in part (a) and (c) of the Policy, for the habitat and migration period of whitebait. This is because these species are most likely to be adversely affected by river bed disturbance, and less is known about the spawning periods and locations of other native fish species.

Policy 6.6.7 recognises that there are a number of structures in river and lake beds, in particular weirs, which are no longer in use and currently restrict fish movement, or cause flooding and erosion problems. The intention is to promote the removal or decommissioning of these structures where it is safe to do so and where the removal or decommissioning will not cause adverse effects which outweigh the anticipated benefits. In other cases the owner may be required to either remove the structure or construct a suitable fish pass. The circumstances under which the removal or retention of structures will take place will be assessed on a case-by-case basis. If the retention of a structure is considered desirable, then the circumstances under which the structure is retained, including responsibility for the structure and its maintenance, will be determined and agreed on a case-by-case basis.

Policy 6.6.8 states, for clarification, that the effect of flooding in floodplains is a regionally significant issue. It has been adopted to facilitate the integrated management of land use in floodplains. As a result, the policy reflects the Taranaki Regional Council's position of promotion (as explained in the methods) rather than regulation.

Policy 6.6.9 states the matters that the Taranaki Regional Council will have regard to when considering applications for uses of river and lake beds. The matters listed for consideration in Policy 6.6.9 include the values associated with the water body where the works will take place. Further guidance on these values and on the relationship of Tangata Whenua with water bodies can be found in Part Two of the Plan. When

assessing resource consent applications for uses of river and lake beds, the Taranaki Regional Council will also consider the positive benefits to people and communities arising from the use, and other matters listed in Policy 5.1.1.

Policy 6.6.10 lists matters that will be considered by the Taranaki Regional Council when assessing resource consent applications for river and flood control works. The criteria listed are intended to guide decision making as to the need for works in any particular case, the costs and benefits and likely effectiveness of any works, any associated adverse environmental effects, and to ensure that alternative methods such as relocating the infrastructure away from the hazard prone area, are considered. This policy is consistent with the Regional Policy Statement for Taranaki.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.6.1-6.6.10:

- METH 1 **Apply regional rules** contained in **section 7** of this Plan to allow, regulate or prohibit the following activities:
- (a) placement, maintenance and removal of structures;
  - (b) removal and introduction of Plants;
  - (c) other uses of river and lake beds, including extraction of gravel and sand.
- METH 2 Provide advice, information and technical assistance on appropriate methods of avoiding, remedying or mitigating the adverse effects of flooding and erosion and effects on water quality, aquatic life, instream values and other uses, resulting from river and lake bed uses, including advice on:
- (a) the placement, maintenance and removal of structures;
  - (b) the provision of effective fish passage facilities;
  - (c) the need for, and likely effectiveness of, river control works and erosion protection structures;
  - (d) the need for, and likely effectiveness of, removing obstructions and vegetation that could cause flooding or erosion.

- METH 3 **Promote** the retirement, establishment or planting of riparian margins as an appropriate method for avoiding, remedying or mitigating the adverse effects of erosion on the banks of rivers and lakes.
- METH 4 **Prepare guidelines** as a means of providing advice, including guidelines on:
- (a) maintenance of structures;
  - (b) removal, demolition or decommissioning of structures;
  - (c) permitted access structures ie, culverts, bridges, fords;
  - (d) permitted barrier structures ie, dams and weirs.
- METH 5 **Monitor and gather information** on structures within river and lake beds and provision of fish passage.
- METH 6 **Examine unused structures** and promote, facilitate, require and/or undertake, as appropriate, the removal or decommissioning of such structures, provided the benefits outweigh the disadvantages, taking into account any potential adverse effects.
- METH 7 **Provide advice to territorial authorities** on land use consent and subdivision applications for activities in floodplains notified to the Taranaki Regional Council, with respect to known or likely flood hazards and levels of the land in question and the potential effects of stormwater drainage on river flows and downstream flood and erosion hazards.
- METH 8 **Advocate to territorial authorities** that provisions be included in **district plans** with respect to the avoidance of flood hazards from subdivision, use and development in floodplains, and the retention of existing forest cover and the reforestation of upper catchment areas as a component of flood and erosion management.
- METH 9 **Provide advice** to people and organisations on **request**, in relation to **known or likely flood hazards** in floodplains, in terms of the known or likely flood levels within these areas.
- METH 10 **Promote** the retention of existing forest cover and the reforestation of upper catchment areas as a component of flood and erosion management.

## Reasons

Method 1 (use of regional rules) has been adopted because regional rules will provide a more appropriate level of control over these activities, in accordance with their effects on the environment, than will section 13 of the Act alone. The rules in Section 7 of this Plan have been adopted to provide appropriate levels of control, and certainty and consistency for plan users. Method 1 gives effect to Policies 6.6.1-6.6.6, 6.6.9 and 6.6.10.

Method 2, provision of information and technical assistance, is a means of avoiding and mitigating adverse effects of flooding and erosion from river and lake bed uses that can be used in conjunction with regional rules. This method is already successfully and effectively used by the Taranaki Regional Council in the implementation of its statutory river and flood control functions. Method 2 gives effect to Policies 6.6.1 and 6.6.6.

Method 3 encourages the fencing and planting of riparian margins. Well managed riparian margins can be an effective method of avoiding erosion of the banks of rivers and lakes. This method is complementary to the methods contained in Issue 6.3 of this Plan with respect to diffuse source discharges, and is consistent with the Regional Policy Statement for Taranaki. Method 3 will be implemented in conjunction with the Taranaki Regional Council's riparian management strategy, and gives effect to Policy 6.6.8.

Method 4 provides for the preparation of guidelines covering specific activities or subject areas, as a means of conveying information and advice. Guidelines on permitted activities are intended to promote methods to avoid and mitigate adverse effects from these activities in line with the conditions established by rules in this Plan. Method 4 gives effect to Policies 6.6.1, 6.6.2, 6.6.3 and 6.6.7.

Method 5 is to enable the Taranaki Regional Council to gather information on uses of river and lake beds within the region. The method will also enable the Taranaki Regional Council to establish the effectiveness of the policies and provisions of this Plan.

Method 6 provides for the Taranaki Regional Council to take a proactive role in the removal or decommissioning of unused structures within river beds which restrict the passage of fish. Decommissioning of a structure can include making provision for fish passage or altering the structure in such a way that it no longer traps sediment.

Method 6 includes assessing the need for, and effects of, removal of structures, and facilitating, requiring, and/or undertaking their removal, as appropriate. It is also

important that in this assessment the advantages and disadvantages of removal are weighed up. Method 6 gives effect to Policy 6.6.7.

Methods 7, 8 and 9 recognise the Taranaki Regional Council's flood control functions and expertise and give effect to Policy 6.6.8. Method 7 enables the Taranaki Regional Council to provide advice to territorial authorities on the known flood hazard where appropriate, for land use and subdivision consent applications for land in flood plains.

Method 8 provides for advice to territorial authorities on the content of district plans via the plan submission process. The Taranaki Regional Council recognises that territorial authorities are the appropriate management agency and consent authority for land use (outside of river and lake beds and the coastal marine area) and that requirements for additional land use consents from the Taranaki Regional Council would be administratively inefficient.

Method 9 states that the Taranaki Regional Council in the interests of integrated management will provide information on known flood hazards to people and organisations on request. While information will be provided in terms of the known or likely flood levels, calculated flood levels within a 2% annual exceedance probability or any other degree of flood risk will **not** be provided.

Method 10 states that the Taranaki Regional Council will promote the retention of forest cover, and the reforestation of upper catchment areas. Retention of forest cover and reforestation are important components of flood management as they decrease runoff and therefore decrease peak flows during rainfall events.

## Environmental results anticipated

- ER 1 Avoidance or mitigation of adverse effects on the environment of uses of river and lake beds.
- ER 2 Provision of fish passage past new and existing structures.
- ER 3 Avoidance or mitigation of adverse effects of flooding and erosion.

## 6.7 Issue: Adverse effects on the environment from land drainage

Significant and substantial land drainage has occurred over the last 100 years with the clearance of forest cover and conversion to pasture. In Taranaki, as in many other parts of New Zealand, land clearance and associated drainage have been an essential part of land development. Historically, wetlands were seen as potential farmland and drainage was encouraged by central and local government as a means of extending pastoralism and improving farm productivity. Most land drainage now involves improvements to existing systems or is carried out for maintenance purposes.

Typical examples of land drainage activities in Taranaki currently include the realignment of natural run-off and the ring draining of natural ground depressions. In addition to open surface drainage systems, extensive use is made of subsoil drainage pipe systems to lower groundwater levels and improve pasture yields.

Land drainage has the positive effect of increasing the productivity of the land and has been a significant factor in ensuring that Taranaki is a highly productive agricultural region. The Taranaki Regional Council therefore needs to recognise that maintenance of drainage systems and in some cases new or significantly modified or improved drainage may be appropriate. However, land drainage may result in adverse effects on the environment, or on other users of fresh water and these effects must be avoided, remedied or mitigated. The principal issues in relation to the adverse effects of land drainage are:

- **Effects on river and stream hydrology**

Partly as a result of drainage activities in the past, runoff of water from land has increased, meaning that water levels tend to rise and fall more rapidly than in the past. This has in turn increased rates of river bank erosion, and river bed degradation in some upper catchments. Conversely increased flows have resulted in significant accretion of river beds in some lower catchments.

- **The need to maintain existing drainage systems**

Extensive drainage systems have been developed within Taranaki over the past one hundred years. If these systems are not sufficiently maintained, there is the potential for

adverse effects such as flooding, erosion and the discharge of sediment and other contaminants.

- **Effects of land drainage on water quality**

The discharge of sub-surface drainage water has the potential to lead to increased levels of nutrients in the receiving water.

- **Effects on remaining wetlands**

New land drainage activities have the potential to affect the remnant wetlands of Taranaki. This may reduce the habitat available for wetland species, and have effects on the natural character of wetlands.

### Objective

OBJ To promote the sustainable management of land drainage while avoiding,  
6.7.1 remedying or mitigating actual or potential adverse effects on the environment

### Policy

POL Land drainage activities will be managed to avoid, remedy or mitigate adverse  
6.7.1 effects on the environment. Matters to be considered in relation to land drainage activities will include actual or potential effects on:

- (a) the natural character of rivers, lakes and wetlands and their margins;
- (b) the natural, ecological and amenity values of any water body;
- (c) the relationship of Tangata Whenua with the water body, particularly with taonga;
- (d) the frequency and magnitude of natural hazards such as flooding and erosion;
- (e) other water users.

## Explanation

Objective 6.7.1 recognises that land drainage is necessary to enable people and communities to use and develop land in an effective and sustainable manner. The objective provides for the sustainable management of land drainage while ensuring that actual or potential adverse environmental effects are avoided, remedied or mitigated.

Policy 6.7.1 gives effect to Objective 6.7.1 by providing that land drainage will be managed so that adverse effects are avoided, remedied or mitigated. The matters listed will guide decisions as to the appropriateness of land drainage activities not expressly permitted in this Plan. Part (c) of the policy provides for consideration of the relationship of Tangata Whenua with any affected water bodies, and particularly with taonga that may have been stored in them. Policy 6.7.1 recognises the land production and management benefits that accrue from land drainage activities and is consistent with the Regional Policy Statement for Taranaki.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policy 6.7.1:

- METH 1 **Apply regional rules** contained in **section 7** of this Plan to allow, regulate or prohibit the following activities:
- (a) diversion of water for land drainage purposes;
  - (b) realignment and modification, or drainage and reclamation of river and lake beds;
- METH 2 **Provide advice, information and technical assistance** on land drainage activities including drain construction and maintenance, and mechanisms for protecting wetlands.
- METH 3 **Prepare guidelines** on permitted land drainage activities, including procedures to be followed upon the discovery of taonga.

## Reasons

Method 1 (use of regional rules) has been adopted because regional rules will provide a more appropriate level of control over these activities, in accordance with their effects on the environment, than will sections 13 and 14 of the Act alone. The rules in section 7 of this Plan have been adopted to provide appropriate levels of control, and certainty and consistency for plan users.

Method 2, provision of information and technical assistance, is a means of avoiding and mitigating adverse effects of land drainage, that can be used in conjunction with regional rules. Advice and information on drain construction and maintenance can avoid or mitigate effects such as surface flooding and ponding as a result of poorly maintained drains. Mechanisms for protecting wetlands will provide an integrated approach to the management of land drainage and wetlands.

Method 3 provides for the preparation of guidelines covering specific activities or subject areas, as a means of conveying information and advice. This method may be used in conjunction with regional rules in this Plan, and will be efficient and effective in achieving the purpose and objectives of the Plan. Guidelines on permitted activities are intended to promote methods to avoid and mitigate adverse effects from these activities in line with the conditions established by rules in this Plan.

## Environmental results anticipated

- ER 1 Avoidance or mitigation of the adverse environmental effects of land drainage.
- ER 2 Minimisation of adverse effects on wetlands.

## 6.8 Issue: Adverse effects of land use activities on wetlands

As defined in the Act, wetlands include:

“permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.”

This definition is deliberately broad in recognition of the diversity of wetland types that exist. It encompasses a variety of water bodies and land forms, including coastal estuaries or lagoons, fresh water lagoons, braided rivers, river margins, swamps or marshes, mountain bogs, shallow lakes, and farm dams. The essential features of wetlands are a terrestrial/aquatic boundary and the ecosystems that are adapted to living there. The variety of water bodies and land forms that come within the definition of a wetland means that many wetlands also come within the definition of a river or lake. The implication of this is that the restrictions on activities in river and lake beds in section 13 of the Act also apply to wetlands (see Issue 6.6).

Wetlands in general, and unmodified wetlands in particular, are scarce in Taranaki. Most wetlands occurring in Taranaki have been drained or filled for agricultural production and urban development. The remaining areas of regionally significant wetland are largely confined to Egmont National Park, with scattered remnants on the upper ring plain, rugged eastern hill country valleys and South Taranaki coastal fringe. It is estimated that about 1.5% of Taranaki’s original wetland areas remain, with less than 0.2% left outside the National Park.<sup>15</sup> Because of their scarcity, the remaining wetlands have a heightened value.

Wetlands are valued for reasons other than just their rarity. They perform important hydrological functions by storing water and regulating river flows during heavy rain, and off setting low flows during dry periods. They provide habitat for a diversity of plants and animals (including in Taranaki, rare native species such as the brown mudfish) and ecological linkages with other aquatic systems. However there are a number of threats

to the remaining wetlands in Taranaki, generally as a result of the surrounding land uses. The principal issues in relation to wetlands are:

- **Drainage and development of wetlands**

Proposals to drain previously undrained wetland areas are uncommon due to the significant amount of land drainage that has occurred in Taranaki over the past one hundred years. However, there is still potential for further drainage of wetlands in Taranaki.

- **Effects on wetlands of surrounding land uses**

Surrounding land uses that have the potential to affect wetlands including grazing, agricultural pollution (ie run-off from agricultural land), vegetation clearance, recreational pressure and urban development.

### Objective

- |              |  |
|--------------|--|
| OBJ<br>6.8.1 | To provide for the protection of wetlands from inappropriate subdivision, use and development.   |
| OBJ<br>6.8.2 | To avoid, remedy or mitigate the adverse effects of appropriate use and development of wetlands. |

### Policies

- |              |  |
|--------------|--|
| POL<br>6.8.1 | The Taranaki Regional Council will prohibit the diversion of water, the discharge of contaminants and the drainage or reclamation of the regionally significant wetlands listed in Appendix IIA. |
| POL<br>6.8.2 | The Taranaki Regional Council will manage the diversion of water, the discharge of contaminants and the drainage or reclamation of the regionally significant wetlands listed in Appendix IIB.   |

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<sup>15</sup> *Taranaki Regional Council, 1992, Land drainage in Taranaki*

- POL 6.8.3 The Taranaki Regional Council will promote the protection of all wetlands in the Taranaki region from inappropriate use and development and the adverse effects of appropriate use and development.
- POL 6.8.4 When assessing resource consent applications for activities affecting wetlands, the Taranaki Regional Council will consider:
- (c) the natural character of wetlands and their margins;
  - (d) the natural, ecological and amenity values of the waterbody;
  - (e) the relationship of Tangata Whenua with the water body, particularly with taonga;
  - (f) the significance of wetlands in buffering or augmenting flows downstream;
  - (g) the alternatives to the activity proposed;
  - (h) measures to avoid, remedy or mitigate the adverse effects of the activity.
- POL 6.8.5 The enhancement and creation of wetland areas will be encouraged where appropriate.
- POL 6.8.6 The Taranaki Regional Council will promote the integrated management of the effects of land uses on wetlands.

### Explanation

Objectives 6.8.1 and 6.8.2 have been adopted to give effect to the requirement in section 6(a) of the Act to recognise and provide for the preservation of the natural character of wetlands and their margins and their protection from inappropriate subdivision, use and development. It is also consistent with the Regional Policy Statement for Taranaki, which provides for the protection of regionally significant natural features and landscapes associated with Taranaki's wetlands and their margins. The objectives seek to avoid, remedy or mitigate the effects of activities in or adjacent to wetlands.

Policy 6.8.1 gives effect to Objective 6.8.1 by stating that the Taranaki Regional Council will prohibit the diversion of water, the discharge of contaminants, and the drainage or

reclamation of the wetlands listed in Appendix IIA. These wetlands are protected under various pieces of legislation because of their important natural values, and it is therefore appropriate that the Taranaki Regional Council prohibits certain activities within them.

Policy 6.8.2 gives effect to Objectives 6.8.1 and 6.8.2 by stating that the Taranaki Regional Council will control the diversion of water, the discharge of contaminants, and the drainage or reclamation of the regionally significant wetlands listed in Appendix IIB. These wetlands have been assessed by the Taranaki Regional Council to be regionally significant<sup>16</sup>, but they do not currently have any level of formal protection. It is therefore appropriate that the Taranaki Regional Council signal in this Plan that activities in these wetlands will be managed, in order to protect, as far as practicable, the natural, ecological and amenity values associated with these wetlands.

Policy 6.8.3 states that the Taranaki Regional Council will promote the protection of all wetlands in the Taranaki region. This policy gives effect to Objectives 6.8.1 and 6.8.2, by recognising the important functions that wetlands perform, and promoting the protection of wetlands from activities that will result in adverse effects.

Policy 6.8.4 lists the matters that will be considered by the Taranaki Regional Council when resource consent applications will affect wetlands. Consideration will be given to the existing natural character, values, and the relationship of Tangata Whenua with wetlands. Further guidance on natural character, ecological and amenity values, and Tangata Whenua is contained in Part Two of this Plan. The significance of wetlands in buffering or augmenting flows in rivers and streams will also be considered, and consent applicants will be required to undertake their activity in a way that avoids, remedies or mitigates adverse effects on wetlands and rivers and streams downstream. This policy will not be used in assessing resource consents for activities associated with lakes or other water bodies that are not wetlands or do not have wetland values. Where lakes have been constructed for a specific-use purpose, eg, hydroelectric power generation or farm dams, such lakes may contain wetlands. However, the wetlands may be of varying quality and significance and be affected by the primary purpose for which the lake was formed. In these situations, when assessing resource consent applications for activities affecting wetlands, the Taranaki Regional Council will consider the nature

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<sup>16</sup> *Taranaki Regional Council, 1997, Wetlands in the Taranaki region.*

and significance of the wetland values present and, in accordance with Policy 5.1.1, recognise the specific use purpose for which the lake was formed.

Policy 6.8.5 provides for the enhancement of existing wetlands and the creation of new wetland areas. Wetlands can be enhanced by maintaining or increasing water levels, avoiding disturbance and discharges and providing fish passage. New wetlands can be created by damming or diverting water. This policy is intended to encourage wetland enhancement and creation where appropriate and where opportunities arise.

Territorial authorities have functions under section 31 of the Act related to controlling the effects of the use of land. Policy 6.8.6 states that the Taranaki Regional Council will promote the integrated management of the effects of land uses on wetlands. This is consistent with the objectives and Policies contained within Issue 6.3 of this Plan.

## Methods of Implementation

The Taranaki Regional Council will use the following methods to implement Policies 6.8.1-6.8.6:

- METH 1 **Apply regional rules** contained in **section 7** of this Plan, to regulate or prohibit activities in regionally significant wetlands.
- METH 2 **Promote** the protection of remnant wetlands in Taranaki, with a priority on regionally significant wetlands, through fencing, riparian planting and formal protection mechanisms.
- METH 3 **Promote** the protection of wetlands and wetland values through **education** and the **provision of information** and **advisory services**, including through the Taranaki Regional Council's sustainable land management advisory services.
- METH 4 **Maintain a schedule of wetland sites under 5 hectares** that contain nationally or regionally rare, threatened or uncommon indigenous flora or fauna and promote their protection through rules in the Plan and through other, voluntary, methods in conjunction with landowners.

METH 5 **Provide advice, information and technical assistance** on Taranaki's wetlands and options for protecting them eg, fencing, riparian planting and covenanting.

METH 6 **Prepare guidelines** on:

- (a) principles and practices of riparian management;
- (b) mechanisms for protecting wetlands.

METH 7 **Advocate** to relevant agencies, the use of **other legislation or mechanisms** such as the Conservation Act 1987, the National Parks Act 1980, the Reserves Act 1977, the Queen Elizabeth the Second National Trust Act 1977, the Forest Heritage Fund and the Taranaki Tree Trust, to protect wetlands.

METH 8 **Consider** the use of **economic instruments**, such as **grants and subsidies**, to assist with the protection of wetlands on privately owned land with a priority on regionally significant wetlands.

METH 9 **Advocate** to territorial authorities that policies, rules and guidelines be included in district plans to avoid, remedy or mitigate the adverse effects of land use activities and management practices on wetlands.

## Reasons

Method 1, use of regional rules, has been adopted to give effect to Objectives 6.8.1 and 6.8.2 and Policies 6.8.1 and 6.8.2. The Taranaki Regional Council has recognised that a number of wetlands in the region are regionally significant, and warrant a degree of regulatory protection. This will be a simple, efficient and effective method of controlling the adverse effects of activities in these wetlands.

Method 2 gives effect to Policies 6.8.1 and 6.8.2 by promoting the protection of existing wetlands. The method lists three mechanisms that could be used to achieve protection.

Method 3, promotion, education and provision of information, is a means of avoiding and mitigating adverse effects of activities on wetlands, and also of promoting their protection, that can be used in conjunction with regional plans. In addition, the provision of information and plans for individual properties through the Taranaki

Regional Council's sustainable land management advisory service, is a valuable method for securing the protection of wetlands and wetland values. Method 3 gives effect to Policies 6.8.3 and 6.8.5.

Method 4 provides for the establishment and maintenance of a schedule of wetland sites under 5 hectares in area that contain nationally or regionally rare, threatened or uncommon indigenous flora or fauna.

The wetlands listed within the schedule are not the subject of any other formal protection mechanism. The schedule is necessary to give effect to Rule 77 of this Plan which seeks to protect the habitat of rare, threatened or uncommon species within the listed wetlands from the effects of inappropriate land drainage.

The Council will work with the relevant landowners and other agencies to protect the habitat of the rare, threatened or uncommon species present in those wetlands, using voluntary methods. These voluntary methods may include providing information and advice and technical assistance and/or arranging assistance with planting, fencing or survey costs through agencies such as the Taranaki Tree Trust.

The schedule will be maintained and updated by the Taranaki Regional Council.

Method 5, provision of information and technical assistance, is a means of avoiding and mitigating adverse effects of activities on wetlands and also of promoting their protection, that can be used in conjunction with regional rules. Method 5 gives effect to Policy 6.8.3.

Method 6 provides for the preparation of guidelines covering specific activities or subject areas, as a means of conveying information and advice. This method may be used either as an alternative to, or in conjunction with, regional rules in this Plan, depending on what will be more efficient and effective in achieving the purpose and objectives of the Plan. Method 6 gives effect to Policies 6.8.2, 6.8.3 and 6.8.5.

Method 7 recognises the key role played by other agencies, such as the Department of Conservation, the Queen Elizabeth the Second National Trust, the Forest Heritage Fund and the Taranaki Tree Trust, in preserving the natural character of wetlands. Protection initiatives by these organisations include the purchase, surveying, fencing and covenanting of wetlands. The Taranaki Regional Council can advocate the protection of wetland areas to the above agencies. In addition, the Taranaki Regional Council can

support the protection initiatives by these agencies through controls on land drainage activities. Method 7 gives effect to Policies 6.8.3 and 6.8.5.

Method 8 provides for the consideration of a specific mechanism for the protection of wetlands. The use of grants or subsidies (in the form of, for example, the provision of labour, or subsidised plants) may be effective in providing protection for wetlands. Method 8 gives effect to Policies 6.8.3 and 6.8.5.

Territorial authorities have functions under Section 31 of the Act relating to controlling the effects of the use of land. By advocating that provisions be included in district plans under Method 9, the Taranaki Regional Council can aim to achieve integrated management of diffuse source discharges, and give effect to Policy 6.8.6.

## Environmental results anticipated

- |      |  |
|------|--|
| ER 1 | Reduced loss of natural character of wetlands and their margins.                   |
| ER 2 | Avoidance of modification of natural character of regionally significant wetlands. |
| ER 3 | Enhancement and creation of wetlands.  |



# Part Four

## Regional rules



## 7 Regional rules

### 7.1 Introduction

Sections 3 to 6 of the Plan state that regional rules will be used in a number of instances to control activities in fresh water. This section contains the detail of the regional rules to give effect to the policies in the Plan.

Sections 13, 14 and 15 of the Act provide that various activities relating to taking, use, damming and diversion of fresh water, discharges of contaminants to land and water, and uses of river and lake beds are allowed only if authorised by a resource consent or by a rule in this Plan (or by regulations). This means that unless a specific rule in this section of the Plan provides otherwise, then it will be necessary for the activities governed by those sections to be authorised by a resource consent obtained under Part VI of the Act.

#### **Advisory note:**

On the 1 May 2018, this Plan is amended to align with the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (the NES-PF) and on the 1 June 2021, this Plan was amended to align with the *Resource Management (National Environmental Standards for Freshwater) Regulations 2020* (the NES-F). Regulations from the NES-PF and NES-F have been assessed by the Council as either duplicating, being stricter or more lenient than the Freshwater Plan Regional Rules. In the situation where a rule may conflict or duplicate with National Environmental Standards, both the rule and National Environmental Standard must be taken into consideration when applying for a resource consent.

### 7.2 Guide to consent applicants

This section of the Plan explains, in brief, how to find out whether or not an activity is regulated by the Plan, and if so, the steps to be taken in applying for a resource consent. The rules referred to can be found in the Rule Tables on pages 93 to 150.

**Step One:** Find out whether the activity involves the taking, use, damming or diversion of surface water, discharge of contaminants to land or water, groundwater, use of river and lake beds, land drainage or wetlands.

**Step Two:** If the activity is to occur within the Hangatahua (Stony) River catchment refer to Rules 1-14. (A map of the catchment is contained in Appendix IV).

**Step Three:** If the activity is to occur outside the Hangatahua (Stony) River catchment, break the activity down into parts. Does the activity involve:

- (a) taking, use, damming or diversion of surface water (refer to rules 15 to 20);
- (b) discharge of contaminants to land or water (refer to rules 21 to 45);
- (c) bore or well construction (refer to rules 46 and 47);
- (d) taking and use of groundwater (refer to rules 48 to 50);
- (e) deepwell injection (refer to rule 51);
- (f) an existing structure (refer to rule 52);
- (g) construction, maintenance or removal of a structure (refer to rules 53 to 64);
- (h) introduction or removal of plants (refer to rules 65 to 68);
- (i) other uses of river and lake beds (refer to rules 69 to 76);
- (j) land drainage (refer to rules 77 to 79); or
- (k) drainage, reclamation, diversion of water from, or discharge of contaminants to, a regionally significant wetland (refer to rules 80 to 87).

Note: the explanation in Section 7.3 about using the Rule Tables will assist you to understand how the Rule Tables may be interpreted.

**Step Four:** Are there rules that apply to each part of the activity? (Note: look carefully – most of the Rule Tables have one ‘catchall’ rule to cover activities if there is no specific rule.)

If there are no relevant rules, check sections 13, 14 or 15 of the Act. If those sections do not restrict a part of the activity, then that part may be lawfully carried out without a resource consent. If those sections restrict a part of the activity, then that part is non-complying and a resource consent is needed.

**Step Five:** If the activity is covered by rules in the Plan, how is each part of the activity classified? (Note: if the 'activity' is made up of several parts, several rules and classifications may apply.)

- (a) If it is **permitted** the activity can be carried out without the need to obtain a resource consent provided the conditions are met;
- (b) If it is **controlled**, a resource consent is needed and the Taranaki Regional Council must grant the consent if the standards and terms are met;
- (c) If it is **discretionary**, a resource consent is needed, and the Taranaki Regional Council will decide whether or not to grant the consent. This will usually depend on how well the proposed activity fits in with the policies in the Plan;
- (d) If it is **non-complying** it contravenes the rules in the Plan and therefore a resource consent is needed.
- (e) The Taranaki Regional Council cannot grant a consent unless the effects of the activity are minor or are not contrary to the objectives and policies of the Plan. Even if this test is satisfied, the Taranaki Regional Council retains a discretion to grant or refuse a consent for the activity;
- (f) If it is **prohibited** the activity cannot proceed, and no resource consent can be applied for.

Figure 2 shows a simplified version of how the activity classifications work. Neither it nor this discussion can be treated as an exact substitute for the provisions of the Act.

**Step Six:** If any parts of the activity require a resource consent:

- (a) check the policies referenced in the Rule Tables to find out which effects are of concern<sup>17</sup>; and
- (b) check the policies in Part Two regarding natural, ecological and amenity values, public access, Tangata Whenua values, and use and development; then
- (c) prepare a document, under Section 8.8 of the Plan, which describes the assessment of effects on the environment; and

- (d) make your resource consent application(s) to the Taranaki Regional Council, and include the assessment of effects on the environment and any other information required under Section 8 of this Plan.
- (e) You are encouraged to consult with any people likely to be affected by your activity. You should consult with the Tangata Whenua if their interests are affected.

**Step Seven:** If in doubt, particularly regarding the information requirements of Step Six above, or the classification of your activity, telephone the Consents Section of the Taranaki Regional Council on (06) 765 7127.

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<sup>17</sup> Policies contained in Part Two of the Plan apply to all activities. Policies in Part Two A apply to new consent applications or applications to change or increase an activity to discharge contaminants into fresh water, or onto or into land in circumstances that may result in the contaminant entering fresh water, or to take, use, dam or divert fresh water or drain a wetland. The policies listed under Part Three of the Plan may also apply, but in a more specific way, to the activity.

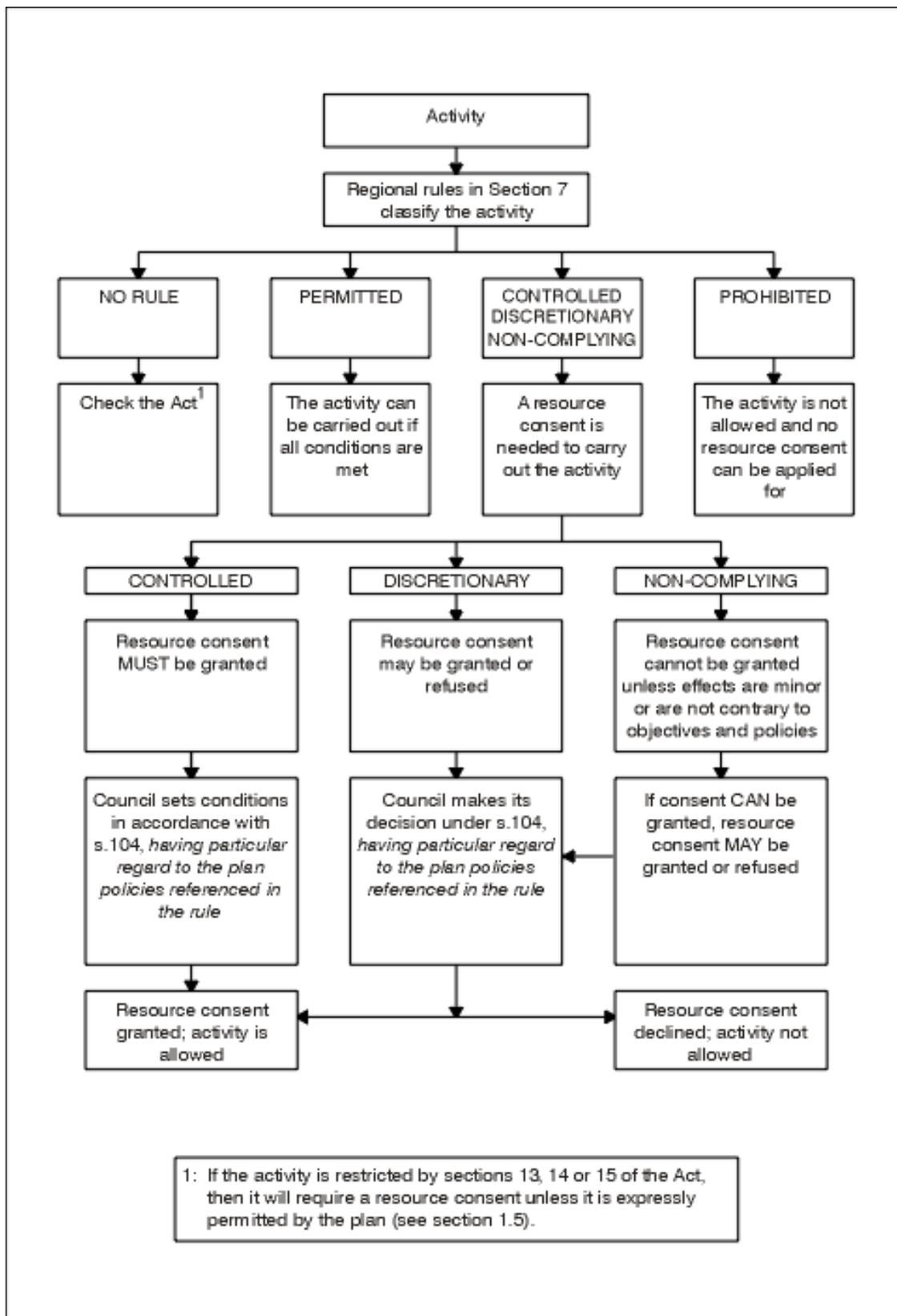


Figure 2 Activity classifications

## 7.3 Rule tables

This section contains tables which set out the regional rules applying to activities in fresh water. Sections 7.3.1 and 7.3.2 explain how the rules are arranged and how the Rule Tables are formatted.

### 7.3.1 Arrangement of rules

The regional rules are arranged under seven categories reflecting the type of activity. The seven categories are then divided into particular activities as shown in Table 4.

Category	Activity	Rule No <sup>18</sup>
Hangatahua (Stony) River catchment	Activities in Hangatahua (Stony) River catchment	1-14*
Taking, use, damming and diversion of surface water	Taking and use of surface water	15-17*
	Damming and diversion of surface water	18-20*
Discharge of contaminants to land and water	Discharge of water	21*
	Discharge of on-site domestic wastewater	22
	Discharge of stormwater	23-27*
	Discharges from closed landfills	28*

Table 4 shows for each activity the rule number which applies to the activity and the page number where the relevant rule or rules can be found.

The first category of rules relates to activities carried out in the Hangatahua (Stony) River catchment only and these rules prevail over any other rule in the Plan and over the regulations in the NES-PF. The six other categories of rules do not apply within the Hangatahua (Stony) River catchment unless stated otherwise (refer to the rules for the Hangatahua (Stony) River catchment for details).

**Table 4** Arrangement of rules according to activity

Category	Activity	Rule No <sup>18</sup>
	Discharges from industrial and trade premises	29*
	Agricultural discharges	30-34*
	Agricultural discharges	
	Discharge of farm dairy, piggery and poultry effluent	
	Discharges from hydrocarbon exploration	41-42
	Other discharges	43-45
Groundwater	Bore or well construction	46-47

<sup>18</sup> **Advisory note:** The groups of rules identified with an asterisk are affected by the NES-PF and NES-F. Please refer to the specific rules for further details.

Category	Activity	Rule No <sup>18</sup>
	Taking and use of groundwater	48-50
	Deepwell injection	51
Use of river and lake beds	Structures	
	Existing structures	52*
	Maintenance of structures	53-54*
	Removal of structures	55-56*
	Access structures	57-58*
	Barrier structures	59*
	Other structures	60-64*
	Plants	
	Removal and Planting of vegetation	65-68*
	Other uses of river and lake beds	
	Clearance of debris	69*
	Extraction of sand or gravel	70-73*
	Other uses	74-76*
Land drainage	Diversion of water for land drainage	77-78
	Other land drainage activities	79

Category	Activity	Rule No <sup>18</sup>
Wetlands	Regionally significant wetlands listed in Appendix IIB	80-83*
	Regionally significant wetlands listed in Appendix IIA	84-87*

### 7.3.2 How the tables are formatted

Each table contains seven columns headed:

- activity;
- rule;
- standards/terms/conditions;
- classification;
- notification;
- control/discretion; and
- policy reference.

#### Activity

The activity column describes the type of activity to be, or being, undertaken. For the activity to come within and continue to comply with the rule, the activity must come within the description contained in the 'activity' column and meet any standards/terms/conditions in the 'standards/terms/conditions' column (see below).

#### Rule

The column headed 'rule' contains the rule number, for reference purposes.

#### Standards/Terms/Conditions

This column contains:

- standards and terms for controlled or discretionary activities;
- conditions for permitted activities.

When multiple standards/terms/conditions are specified, the proposed activity must comply with all of them in order to remain within the rule class named in the column headed 'classification'. In other words, the sentence after each bullet point is to be read as being linked to the following sentence by the word 'AND'.

However, if the word 'OR' separates the standards, terms or conditions the proposed activity must comply with one or other of the standards, terms or conditions.

The standards, terms or conditions are ongoing requirements that must continue to be met after consent is granted. Failure to comply with the standards and terms amounts to a breach of the rule and may be subject to enforcement action. In the case of a permitted activity, failure to comply with the conditions will also mean that the activity is no longer permitted without consent.

### Classification

The activity is classified as permitted, controlled, discretionary, or prohibited.

Any activity which is not provided for in the specific activity column or which does not meet the standards, terms, or conditions specified for that activity will be a non-complying activity unless a rule says that another classification applies.

### Notification

The Taranaki Regional Council has the option to deal with a resource consent application as a notified application or as a non-notified application. The power to do so is provided by sections 93 and 94 of the Act. The options that the Taranaki Regional Council has for processing resource consent applications (and the corresponding sections of the Act) are as follows:

- (a) the Taranaki Regional Council can require any resource consent application to be **notified** (s 93);
- (b) the Taranaki Regional Council need **not notify** a resource consent application if:

- (i) the activity is a **controlled activity** and the Plan expressly permits consideration of the application without notification or the need to obtain the written approval of affected parties (s 94(1)(b))<sup>19</sup>; or
  - (ii) the activity is a **controlled activity** and written approval has been obtained from every person who, in the Taranaki Regional Council's opinion, may be adversely affected by the granting of the resource consent unless, in the Taranaki Regional Council's opinion, it is unreasonable in the circumstances to require the obtaining of every such approval (s 94(1)(c)); or
  - (iii) the activity is a **discretionary activity** over which the Taranaki Regional Council has restricted the exercise of its discretion and the Plan expressly permits consideration of the application without notification or the need to obtain the written approval of affected parties (s 94(1A)); or
  - (iv) the activity is a **discretionary activity** or **non-complying activity** and:
    - (c) the Taranaki Regional Council is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor; and
    - (d) written approval has been obtained from every person who, in the Taranaki Regional Council's opinion, may be adversely affected by the granting of the resource consent unless the Taranaki Regional Council considers it is unreasonable in the circumstances to require the obtaining of every such approval (s 94(2)).
- In the Rule Tables, the **notification** column will be blank, or contain the words "may be non-notified" or contain the words "may be non-notified without written approval".

When the words "may be non-notified without written approval" are used, then the rules must be taken as stating that an application for a resource consent may be considered without notification and without the need to obtain the written approval of affected persons in accordance with sections 94(1)(b) or 94(1A), ie in the circumstances outlined in (b)(i) and (b)(iii) above. These sections enable an application for a resource consent to be considered without notification or a need to obtain the written approval of affected persons. Note, however, that the Taranaki Regional Council may require an application to be notified, even where a rule states that it may be "non-notified", if the Taranaki Regional Council considers special circumstances exist in relation to an application. This power is provided by section 94(5).

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<sup>19</sup> *The Taranaki Regional Council will be guided by the procedures for non-notification contained in "Taranaki Regional Council Resource Consents Procedures Document: A guide for applicants and submitters" (February 1997).*

If the column is blank, the activity may be either notified or non-notified but can only be non-notified in the circumstances described in (b)(ii) and (iv) above.

### **Control/Discretion**

This column states the matters over which the Taranaki Regional Council reserves control (in relation to a controlled activity) or to which it has restricted the exercise of its discretion (in relation to a discretionary activity). The Taranaki Regional Council is limited to only considering these matters when deciding whether or not to grant consent (in the case of a discretionary activity), considering the environmental effects of the activity, and when setting conditions on a resource consent.

When the column is blank, one of two situations applies:

- the activity is a permitted or prohibited activity, and by definition no control or discretion can be reserved;
- the activity is a discretionary activity for which the Taranaki Regional Council has retained full discretion, which will be exercised in accordance with the objectives and policies of the Plan and the matters to be considered in section 104 of the Act.

### **Policy References**

The 'Policy references' column cross-references the policies in Parts Two, Two A and Three of the Plan that are **generally** relevant to the type of activity governed by that rule.

Policy references are included as a guide to all plan users, including the Taranaki Regional Council, as to the policies that the Taranaki Regional Council will consider when deciding a resource consent application.

The policies listed in the policy references column may not include all the policies in the Plan that are relevant to a particular resource consent application, and the Taranaki Regional Council will consider any other policies relevant to the application.

#### **7.3.3 How the classifications are used**

A **permitted activity** can be carried out without a resource consent, provided that all conditions in the 'standards/terms/conditions' column are met (and can continue to be

met). If the conditions of a permitted activity cannot be met, the activity will become either controlled or discretionary.

A **controlled activity** may only be carried out if a resource consent is obtained for that activity. The Taranaki Regional Council must grant the consent and will set conditions in relation to the matters set out in the 'control/discretion' column. When the content of these conditions is being considered, the relevant objectives and policies in the Plan and other section 104 matters will be considered only so far as they apply to the matters over which the Taranaki Regional Council has reserved control as set out in the 'control/discretion' column. If the conditions of a controlled activity cannot be met, the activity will become discretionary.

A **discretionary activity** may only be carried out if a resource consent is obtained for that activity. The Taranaki Regional Council may decline or grant a resource consent for a discretionary activity. The Taranaki Regional Council will exercise its discretion in accordance with the objectives and policies in the Plan and other section 104 matters. The Taranaki Regional Council may consider any matter allowed under section 104, including all effects on the environment. If the resource consent is granted, the Taranaki Regional Council may set any conditions on the permit that fall within the Taranaki Regional Council's powers under section 108 of the Act.

A **non-complying** activity is an activity (not being a prohibited activity) which is either defined in the rule as a non-complying activity, **or**, contravenes a rule in a plan or proposed plan, and is allowed only if a resource consent is obtained in respect of that activity (where an activity meets the definition of a permitted, controlled or discretionary activity it cannot be a non-complying activity. If the activity does not meet any of the terms or standards for a discretionary activity it will be non-complying).

No consent may be granted for a **prohibited activity** and such activities cannot be carried out under any circumstances.

#### **7.3.4 NES advisory notes**

Pursuant to section 44A of the Act, this Plan has been amended to remove duplication or conflict with the NES-PF and NES-F. Advisory notes have been included in the activity column of the rules table to assist the Plan reader. Therefore NES regulations may alter the activity status of an activity and impose additional standards, conditions, information

requirements and matters for assessment. Please ensure you have met any requirements of the NES regulations in addition to the requirements in this Plan. Where no advisory note has been provided in the rules table the Plan rule is presumed to prevail over the NES regulations.

**Advisory notes are to be taken as guidance only by the reader. It is the Plan reader's responsibility to ensure they comply with both the Plan and NES regulations.**

## Hangatahua (Stony) River catchment

## Taking and use of surface water in the Hangatahua (Stony) River catchment

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
1	<p>Taking and use of surface water for the purposes of meeting domestic and stock-watering needs</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The rate of abstraction shall not exceed 1.5l/s;</p> <p>(b) The volume of abstraction shall not exceed 50m<sup>3</sup> in any one day;</p> <p>(c) No more than 25% of the instantaneous flow, measured at the point of abstraction shall be taken.</p>	Permitted			
2	<p>Taking and use of surface water for agricultural and horticultural activities which are not otherwise provided for in Rule 1</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The rate of abstraction for any one property described in a particular certificate of title shall not exceed 1.5l/s; or 5l/s for not more than 30 mins/day for temporary taking and use of surface water<sup>r20</sup></p> <p>(b) The combined quantity of all takes within the total catchment shall not exceed 30l/s;</p> <p>(c) Any take and use for irrigation purposes shall be for private individual horticultural schemes;</p> <p>(d) The applicant shall provide to the Taranaki Regional Council an assessment of available alternative sources of water.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on values of the waterbody;</li> <li>• Volume and rate of abstraction;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	3.1.1, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7
3	Taking and use of surface water which is not otherwise provided for in Rules 1 and 2.		Prohibited			

<sup>20</sup> The temporary taking and use of surface water means the occasional and temporary taking and use of surface water, but does not include taking and use of surface water that is of an ongoing and permanent nature but which occurs intermittently.

## Damming and diversion of surface water in the Hangatahua (Stony) River catchment

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
4	Damming of water		Prohibited			
5	Diversion of water which is not otherwise provided for in Rules 12 and 13.		Prohibited			

## Discharge of contaminants to land and water in the Hangatahua (Stony) River catchment

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
6	Discharge of contaminants or water to water		Prohibited			
6a	Discharge of contaminants to land <sup>21</sup>					

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<sup>21</sup> Refer to Rules 22, 23, 25, 26, 29, 30, 31, 33, 34, 35, 37, 42 and 44.

## Structures in the Hangatahua (Stony) River catchment

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
7	Maintenance of existing or authorised structures	<ul style="list-style-type: none"> <li>(a) Activity shall be for the purpose of maintaining structure in good repair;</li> <li>(b) The size of the structure shall not increase beyond the existing size;</li> <li>(c) Sediment disturbance shall not conspicuously change the visual clarity of water beyond a zone of reasonable mixing<sup>22</sup>;</li> <li>(d) There shall be no adverse effects on aquatic life or instream habitat;</li> <li>(e) All material removed from the structure and excess construction materials shall be removed from the bed;</li> <li>(f) Water shall only be diverted to the extent, and for the period necessary to carry out works;</li> <li>(g) The Taranaki Regional Council shall be informed that the works are to occur, at least two working days prior to the commencement of the works.</li> </ul>	Permitted			
8	<p>Construction, placement and use of pipelines, roads and bridges in, on, over or under the bed of a river, and the maintenance of existing or authorised structures which does not meet the conditions of Rule 7</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Discretionary	May be non-notified		3.1.1, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.9

<sup>22</sup> See definition in section 2 of the Plan.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
9	Use, erection, reconstruction, placement, alteration, extension, removal or demolition of a structure not otherwise provided for by Rules 7, 8, 10 or 11		Prohibited			

## Activities undertaken for river and flood control purposes in the Hangatahua (Stony) River catchment

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
10	<p>Any activity that is restricted under s13(1) of the Act, and is undertaken by or on behalf of the Taranaki Regional Council for the purposes of river and flood control</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) No significant flooding, erosion, scour or deposition shall result or be likely to result from the activity;</p> <p>(b) There shall be no significant adverse effects on aquatic life or instream habitat;</p> <p>(c) No contaminants shall be released to the river bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river bed;</p> <p>(d) Sediment disturbance shall not conspicuously change the visual clarity of water beyond a zone of reasonable mixing<sup>23</sup>;</p> <p>(e) Activity shall not restrict the passage of fish;</p> <p>(f) Disturbance of the bed shall be the minimum necessary to carry out the activity;</p> <p>(g) The Taranaki Regional Council shall be informed that the activity is to occur, at least two working days prior to the commencement of works.</p>	Permitted			
11	<p>Any activity that is restricted under s13(1) of the Act, and is undertaken for the purposes of river and flood control, and which does not meet the conditions of Rule 10</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Discretionary			3.1.1, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.5, 6.6.6, 6.6.9, 6.6.10

<sup>23</sup> See definition in section 2 of the Plan.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
12	<p>Diversion of water undertaken by or on behalf of the Taranaki Regional Council for the purposes of river and flood control</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) No significant flooding, erosion, scour or deposition shall result or be likely to result from the activity;</p> <p>(b) There shall be no significant adverse effects on aquatic life or instream habitat;</p> <p>(c) Activity shall not restrict the passage of fish;</p> <p>(d) Disturbance of the bed shall be the minimum necessary to carry out the activity;</p> <p>(e) The Taranaki Regional Council shall be informed that the activity is to occur, at least two working days prior to the commencement of works.</p>	Permitted			
13	<p>Diversion of water for the purposes of river and flood control which does not meet the conditions of Rule 12</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Discretionary	May be non-notified		3.1.1, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.1.3, 6.1.4, 6.1.5

## Other uses of the bed of the Hangatahua (Stony) River catchment

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
14	<p>Activities that are restricted pursuant to s13(1) of the Act, including:</p> <ul style="list-style-type: none"> <li>• Excavating, drilling, tunnelling or disturbing the bed;</li> <li>• Introducing or planting plants;</li> <li>• Depositing any substance in, on or under the bed; and</li> <li>• Reclaiming or draining the bed;</li> </ul> <p>that are not provided for in Rules 7, 8, 10 and 11</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Prohibited			



Taking, use, damming and  
diversion of surface water  
(excluding in the Hangatahua (Stony) catchment)

## Taking and use of surface water

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
15	<p>Taking and use of surface water<sup>24</sup></p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The rate of abstraction for any one property described in a particular certificate of title shall not exceed 1.5l/s; or 5l/s for not more than 30 mins/day for temporary taking and use of surface water<sup>25</sup>;</p> <p>(b) The volume of abstraction for any one property described in a particular certificate of title shall not exceed 50m<sup>3</sup> in any one day;</p> <p>(c) No more than 25% of the instantaneous flow, measured at the point of abstraction shall be taken.</p>	Permitted			
16	<p>Taking and use of surface water, which does not meet the conditions of Rule 15, excluding the taking or use of water from those water bodies or parts of them listed in Policy 6.1.1</p> <p><b>Note:</b> NES-F regulations may prevail for natural wetlands.</p>		Discretionary	May be non-notified		3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.1.2, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7

<sup>24</sup> Taking and use of surface water for reasonable domestic and stock-watering needs is allowed under section 14(3) of the Act provided that there is no adverse effect on the environment. The conditions of this rule are designed to provide for these needs.

<sup>25</sup> The temporary taking and use of surface water means the occasional and temporary taking and use of surface water, but does not include taking and use of surface water that is of an ongoing and permanent nature but which occurs intermittently.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
17	<p>Taking and use of surface water from within those catchments or water bodies listed in Policy 6.1.1 where the taking or use is not otherwise provided for in Rule 15</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Prohibited			

## Damming or diversion of surface water

**Advisory note:** Rules 18-20 of this Plan do not apply to damming or diversion of surface water associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The NES-PF regulations prevail over these rules in relation to plantation forestry unless the activity involves wetland habitat identified as regionally significant in accordance with Policy Bio4 of the Regional Policy Statement.<sup>26</sup>

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
18	<p>Damming or diversion of water from a river or stream (excluding diversion or damming for the purposes of river and flood control, land drainage, or from wetlands listed in Appendix II)</p> <p><b>Note:</b> This rule excludes damming or diversion of surface water of plantation forestry activities regulated by the NES-PF unless the activity involves wetland habitat identified as regionally significant.</p> <p>NES-F regulations relating to the damming or diversion of water may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Catchment area upstream of the damming or diversion is not more than 25 ha;</li> <li>(b) Any dam or weir has a maximum height (measured vertically from the downstream bed to the crest) of not more than 3m;</li> <li>(c) Structure must not impound water beyond the property on which it is built, unless agreed to in writing by that property's owner(s);</li> <li>(d) Structure must have an auxiliary spillway which is capable of conveying flood flows;</li> <li>(e) No take for domestic, stock water, school, public water supply, or fire fighting purpose, nor any take under any resource consent, is restricted as a result of the damming or diversion;</li> <li>(f) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(g) The activity shall not restrict the passage of fish;</li> <li>(h) The Taranaki Regional Council shall be informed that the damming or diversion is to occur, at least two working days prior to the commencement of works.</li> </ul>	Permitted			
19	Damming or diversion of water undertaken by or on behalf of the Taranaki Regional Council for the purposes of river and flood control	<ul style="list-style-type: none"> <li>(a) No significant erosion, scour or deposition shall result or be likely to result from the damming or diversion;</li> <li>(b) There shall be no significant adverse effects on aquatic life or instream habitat;</li> </ul>	Permitted			

<sup>26</sup> The NES-PF regulations that prevail over the Plan rules identified above include Regulations 19(2); 20 & 21; 68; 69; 70(3) & (4); 71; 73(2); 74 & 75, 83(2); 84 to 88; 92; and 97.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
	<p><b>Note:</b> This rule excludes damming or diversion of surface water of plantation forestry activities regulated by the NES-PF unless the activity involves wetland habitat identified as regionally significant.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	(c) The Taranaki Regional Council shall be informed that the damming or diversion is to occur, at least two working days prior to the commencement of the activity.				
20	<p>Damming or diversion of water from a river or lake which does not meet the conditions of Rules 18 and 19</p> <p><b>Note:</b> This rule excludes damming or diversion of surface water of plantation forestry activities regulated by the NES-PF unless the activity involves wetland habitat identified as regionally significant.</p> <p>NES-F regulations may prevail over the Plan rule.</p>		Discretionary	May be non-notified		3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.1.2, 6.1.3, 6.1.4, 6.1.5, 6.6.1, 6.6.2, 6.6.3, 6.6.9, 6.6.10



Discharges of contaminants  
to land and water  
(excluding discharges to water in the Hangatahua (Stony) River catchment)

## Discharge of water

**Advisory note:** Rules 21 and 23-27 of this Plan do not apply to the discharge of water associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The NES-PF regulations prevail over these rules in relation to plantation forestry.<sup>27</sup>

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
21	<p>Discharge of water into surface water (excluding the wetlands listed in Appendix II)</p> <p><b>Note:</b> This rule excludes discharge of water regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The discharge shall not result in any flooding beyond the boundary of the property from which the discharge originates;</p> <p>(b) No significant erosion or scour results from the discharge;</p> <p>(c) The discharge shall not result in any disturbance to the bed of the water body;</p> <p>(d) The discharge shall not give rise to any or all of the following effects in the receiving water after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> <li>- any significant adverse effects on aquatic life.</li> </ul>	Permitted			

<sup>27</sup> The NES-PF regulations that prevail over the Plan rules identified above include Regulations 24-35; 51(2); 52; 54(3) & (4); 55; 56; 58; 59; 60(3) & (4); 61(3), (4) & (5); 65; 68; 69; 70(3) & (4); 71; 73(2); 74; 75; 104(2); and 105.

## Discharge of on-site wastewater

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
22	Discharge of contaminants from on-site domestic wastewater treatment systems onto or into land	<ul style="list-style-type: none"> <li>(a) The discharge shall not result in surface ponding or runoff of any contaminant into a surface water body;</li> <li>(b) There shall be no direct discharge of any contaminant into a surface water body;</li> <li>(c) The discharge shall not be within 25m of a surface water body;</li> <li>(d) The discharge shall not be within 50m of any bore, well or spring used for water supply;</li> <li>(e) The discharge shall not be noxious, dangerous, offensive or objectionable to such an extent that it has or is likely to have a significant adverse effect on the environment.<sup>28</sup></li> </ul>	Permitted			

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<sup>28</sup> The Taranaki Regional Council will accept as compliance with this condition, an on-site domestic wastewater treatment system designed, constructed, operated and maintained in accordance with the 'New Zealand Manual of alternative wastewater treatment and disposal systems, volume II, Part A. On-site wastewater disposal from households and institutions.' Technical publication No. 58, second edition (Gunn, 1994).

## Discharge of stormwater

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
23	<p>Discharge of stormwater into or onto land or into water (excluding those wetlands listed in Appendix II) that is not provided for by Rules 25-27</p> <p><b>Note:</b> This rule excludes discharge of stormwater regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The discharge shall not originate from any industrial or trade premise where the active area of the site is greater than 0.5 ha, unless there is an interceptor system in place that is designed and managed so that it will keep stormwater from entraining contaminants;</p> <p>(b) The discharge shall not originate from any industrial or trade premise where hazardous substances are used, stored or potentially spilt unless:</p> <ul style="list-style-type: none"> <li>- there is an interceptor system in place that is designed and managed so that it will keep stormwater from entraining contaminants; or</li> <li>- there is an interceptor system in place that is designed and managed so that it is capable of capturing contaminated stormwater and either diverting it to trade waste or containing it and/or removing or reducing the contaminants such that: <ul style="list-style-type: none"> <li>o any spills can be recovered;</li> <li>o the discharge shall not contain any persistent or bioaccumulative substances;</li> <li>o the discharge shall not breach any other specified condition of this rule;</li> </ul> </li> <li>- and a spill contingency and interceptor system maintenance plan is maintained and regularly updated for the site;</li> </ul>	Permitted			

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>(c) The discharge shall not originate from any industrial or trade premises where the movement of rock, earth or other soil material is taking place, unless that movement is being undertaken in connection with site landscaping, or the installation, construction, maintenance or demolition of buildings, structures or equipment;</p> <p>(d) The discharge shall not be greater than is able to be discharged from a pipe of 900 mm in diameter;</p> <p>(e) The discharge shall not cause significant erosion, scour or deposition;</p> <p>(f) Discharge that will, or is liable to enter surface water, shall not exceed the following:</p> <p style="padding-left: 40px;">pH: 6.0-9.0</p> <p style="padding-left: 40px;">oil and grease: 15 gm<sup>-3</sup></p> <p style="padding-left: 40px;">suspended solids: 100 gm<sup>-3</sup></p> <p style="padding-left: 40px;">BOD: 5 gm<sup>-3</sup></p> <p style="padding-left: 40px;">unionised ammonia: 0.025 gm<sup>-3</sup></p> <p style="padding-left: 40px;">free chlorine: 0.2 gm<sup>-3</sup></p> <p>(g) The discharge shall not give rise to any of the following effects in receiving waters after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> </ul>				

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		(h) any significant adverse effects on aquatic life.				

## Discharge of stormwater (continued)

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
24	<p>Discharge of stormwater into or onto land or into water (excluding those wetlands listed in Appendix II) that is not provided for by Rules 25-27 and that does not come within or comply with the conditions of Rule 23</p> <p><b>Note:</b> This rule excludes discharge of stormwater regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) A stormwater management plan shall be submitted to the Taranaki Regional Council;</p> <p>(b) The discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge or discharges on any water body.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>Approval of a stormwater management plan and the matters contained therein;</li> <li>Provision and approval of a contingency plan;</li> <li>Design, location, operation and maintenance of stormwater treatment and disposal system;</li> <li>The setting of conditions relating to volume and discharge rates;</li> <li>The setting of conditions relating to effects on receiving waters;</li> <li>Definition and delineation of mixing zone;</li> <li>Monitoring and information requirements;</li> <li>Duration of consent;</li> <li>Review of conditions of consent and the timing and purpose of the review;</li> <li>Payment of administrative charges and financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.7
25	<p>Discharges of stormwater and sediment deriving from soil disturbance activities of 1ha or less;</p> <ul style="list-style-type: none"> <li>Into surface water (excluding those wetlands listed in Appendix II) and/or</li> </ul>	<p>(a) The discharge shall not derive from an area of soil disturbance greater than 1ha<sup>29</sup>;</p> <p>(b) The discharge shall not derive from a volume of soil disturbance greater than 3000m<sup>3</sup> <sup>24</sup>;</p> <p>(c) Soil stabilisation shall be undertaken as soon as practicable after the completion of the works;</p>	Permitted			

<sup>29</sup> For the purpose of this rule the area/volume of soil disturbance is defined as the total area/volume of uncompacted and/or unvegetated exposed soil on any particular property or contiguous properties within the control of any particular person or persons.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
	<ul style="list-style-type: none"> <li>Onto or into land in circumstances where sediment from soil disturbance may enter water</li> </ul> <p><b>Note:</b> This rule excludes discharge of stormwater regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	(d) Discharge to surface water shall contain less than 100gm <sup>3</sup> suspended solids; (e) Discharge to surface water shall not give rise to any or all of the following effects in the receiving water after reasonable mixing: <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums, or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> <li>- any significant adverse effects on aquatic life.</li> </ul>				
26	Discharges of stormwater and sediment deriving from soil disturbance activities of between 1 and 8ha; <ul style="list-style-type: none"> <li>Into surface water (excluding those wetlands listed in Appendix II) and/or</li> <li>Onto or into land in circumstances where sediment from the soil disturbance may enter water</li> </ul> <p><b>Note:</b> This rule excludes discharge of stormwater regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	(a) The discharge shall not derive from an area of soil disturbance greater than 8ha <sup>30</sup> ; (b) The discharge shall not derive from a volume of soil disturbance greater than 24,000m <sup>3</sup> <sup>25</sup> ; (c) The discharge shall not derive from soil disturbance which takes place between 1 May and 31 October; (d) The discharge shall not derive from soil disturbance which takes place within a defined urban catchment <sup>31</sup> (e) Soil stabilisation shall be undertaken as soon as practicable after the completion of the works; (f) Discharge to surface water shall contain less than 100gm <sup>3</sup> suspended solids;	Permitted			

<sup>30</sup> For the purpose of this rule the area/volume of soil disturbance is defined as the total area of uncompacted and/or unvegetated exposed soil on any particular property or contiguous properties within the control of any particular person or persons.

<sup>31</sup> Defined urban catchments are shown in Appendix IX of the Plan.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>(g) Discharge to surface water shall not give rise to any or all of the following effects in the receiving water after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums, or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> <li>- any significant adverse effects on aquatic life.</li> </ul>				
27	<p>Discharge of stormwater and sediment into surface water (excluding those wetlands listed in Appendix II), or onto or into land in circumstances where sediment from soil disturbance may enter water, from soil disturbance activities that do not come within or comply with the conditions of Rules 25 or 26</p> <p><b>Note:</b> This rule excludes discharge of stormwater regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) A site erosion and sediment control management plan shall be submitted to the Taranaki Regional Council.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Approval of a site erosion and sediment control management plan and the matters contained therein;</li> <li>• Setting of conditions relating to adverse effects on water quality and the values of the waterbody;</li> <li>• Timing of works;</li> <li>• Any measures necessary to reinstate the land following the completion of the activity;</li> <li>• Monitoring and information requirements;</li> <li>• Duration of consent;</li> <li>• Review of conditions of consent and the timing and purpose of the review;</li> <li>• Payment of administrative charges and financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.23.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4

## Discharges from closed landfills

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
28	Discharge of leachate from closed landfills to water (excluding the wetlands listed in Appendix II)	<p>(a) The discharge shall not give rise to any of the following effects in the receiving water after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> <li>- any significant adverse effects on aquatic life;</li> </ul> <p>(b) The discharge shall not cause the following limits to be exceeded in the receiving water after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- unionised ammonia expressed as nitrogen <math>0.02\text{gm}^{-3}</math>;</li> <li>- total zinc <math>0.05\text{gm}^{-3}</math>;</li> </ul> <p>(c) The discharge shall not cause the dissolved oxygen concentration of the receiving water to fall below 80% of saturation concentration after reasonable mixing;</p> <p>(d) The discharge shall not cause the concentration of filtered carbonaceous biochemical oxygen demand to exceed <math>2.00\text{gm}^{-3}</math> in the receiving water after reasonable mixing.</p>	Permitted			

## Discharges from industrial and trade premises

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
29	<p>Discharge of contaminants from industrial and trade premises onto or into land, excluding those provided for by Rules 22, 23 and 42</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Only waste generated on the subject property shall be discharged;</p> <p>(b) The discharge shall not result in surface ponding or runoff of any contaminant into a surface water body;</p> <p>(c) There shall be no direct discharge of any contaminant into a surface water body;</p> <p>(d) The discharge shall not be within 25m of a surface water body;</p> <p>(e) The discharge shall not be within 50m of any existing bore, well or spring used for water supply;</p> <p>(f) The discharge shall not, either directly or indirectly, cross the boundaries of the subject property;</p> <p>(g) The discharge shall not be noxious, dangerous, offensive or objectionable to such an extent that it has or is likely to have a significant adverse effect on the environment<sup>32</sup>.</p>	Permitted			

<sup>32</sup> The Taranaki Regional Council will accept as compliance with this condition, that the discharge shall not result in a soil concentration of contaminants that exceed the lowest level of any of the following:

- (a) the environmental investigation guideline levels specified in the Australian and NZ Guidelines for the Assessment and Management of Contaminated Sites (ANZECC, 1992);
- (b) the bacteriological guidelines specified in Table 1 of the Appendix to the Public Health Guidelines for the Safe Use of Sewage Effluent and Sewage Sludge on Land (Department of Health, 1992);
- (c) the most stringent of the adopted soil criteria set out in Table 5.1, and the most stringent of the water quality guidelines as set out in Table 6.3, of the Health and Environmental Guidelines for Selected Timber Treatment Chemicals (MfE, 1997);
- (d) the most stringent of the adopted soil guideline values stated in Section 4.2.7 and the most stringent of the water quality acceptance criteria in Table 4.7 of the Guidelines for the Management of Contaminated Gasworks Sites in New Zealand (MfE, 1997);
- (e) the most stringent of the water or soil guideline values stated in Tables 4.10-4.15 and 5.11-5.12 of the Draft Guidelines for the Assessment and Management of Petroleum Hydrocarbon Contaminated Sites (MfE, 1997).

## Agricultural discharges

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
30	<p>Discharge of offal, farm rubbish, leachate from silage pits and feedlots and other on-farm waste material into or onto land excluding those materials covered by Rules 22 and 35-39</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Discharge occurs onto or into production land;</li> <li>(b) Only waste generated on the subject property shall be discharged;</li> <li>(c) Discharge shall not occur within 50m of any bore, well or spring used for water supply purposes;</li> <li>(d) Discharge shall not occur within 25m of any surface water body;</li> <li>(e) Discharge shall not lead or be liable to lead to any contaminants entering surface water;</li> <li>(f) Disposal of surplus agrichemical solution and containers shall be undertaken in accordance with the recommendations of the manufacturer or supplier, as stated in the directions on the product container label;</li> <li>(g) Offal pits shall be securely covered;</li> <li>(h) Offal pits shall be at least 15m from any other offal pit that has been used within the previous five years.</li> </ul>	Permitted			
31	<p>Discharge of fertiliser onto or into land</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Fertiliser is approved for use under section 5 of the Fertilisers Act 1960 or under the Agricultural Compounds and Veterinary Medicines Act 1997;</li> <li>(b) Discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects of fertiliser drift beyond the boundary of the target property or on other non-target areas within the boundary of the property;</li> <li>(c) If discharge is by any other method than aerial application, discharge shall not occur directly on or above a river, lake, wetland or other surface water body, including any drain which is discharging to a surface water body; OR</li> </ul>	Permitted			

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		(d) If discharge is by aerial application, fertiliser shall be applied in a manner which does not cause or is not likely to cause an adverse effect from deposition into a river, lake, wetland or other surface water body, including any drain which discharges to a surface water body.				
32	Discharge of aquatic herbicides onto or into surface water <sup>33</sup> (excluding the wetlands listed in Appendix IIA)	<p>(a) Aquatic herbicide is approved for use under section 21 of the Pesticides Act 1979 or the Hazardous Substances and New Organisms Act 1996;</p> <p>(b) Discharger must at all times adopt the best practicable option to prevent or minimise any adverse effects beyond the boundary of the target property or other non-target areas within the boundary of the property;</p> <p>(c) Discharge shall be undertaken in accordance with manufacturer's instructions and any relevant regulations;</p> <p>(d) Discharge shall be for the purpose of eradicating, modifying or controlling unwanted aquatic plants, and shall not exceed the quantity, concentration or rate necessary;</p> <p>(e) The discharge shall not give rise to any or all of the following effects in the receiving water after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> </ul>	Permitted			

<sup>33</sup> Appendix VI contains information on good agrichemical spray management practices that provides general guidance on the best practicable option for preventing or minimising adverse effects on the environment from spraying of agrichemicals.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<ul style="list-style-type: none"> <li>- any significant adverse effects on aquatic life;</li> <li>(f) There shall be no adverse effect on any take for potable or water supply, or any take under a resource consent or permitted by Rule 15 of this Plan;</li> <li>(g) Discharger shall notify the Taranaki Regional Council as soon as practicable in the event of accidental or unintended discharge of herbicides;</li> <li>(h) Discharger shall keep records of the name of applicator, agrichemical equipment used and methods of use, including equipment calibration details, type of each agrichemical applied, the volume and concentration of the agrichemical used, the locality, area and date of application, the location and nature of any sensitive area, weather conditions including wind speed and direction, and any abnormal situation or incident.</li> </ul>				

## Agricultural discharges (continued)

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
33	Discharge of agrichemicals onto or into land by land-based application methods <sup>34</sup> (excluding discharge of agrichemicals by spray application) <sup>35</sup>	<ul style="list-style-type: none"> <li>(a) Agrichemical is approved for use under section 21 of the Pesticides Act 1979 or the Hazardous Substances and New Organisms Act 1996;</li> <li>(b) Discharger shall avoid any contaminant entering surface water;</li> <li>(c) Discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects beyond the boundary of the target property or other non-target areas within the boundary of the property;</li> <li>(d) Discharge shall be undertaken in accordance with manufacturer's instructions and any relevant regulations;</li> <li>(e) Discharger shall notify the Taranaki Regional Council as soon as practicable in the event of accidental or unintended discharge of agrichemicals to surface water.</li> </ul>	Permitted			
34	Discharge of agrichemicals by aerial application methods to land <sup>36</sup> , (excluding discharge of agrichemicals by spray application) <sup>37</sup>	<ul style="list-style-type: none"> <li>(a) Agrichemical is approved for use under section 21 of the Pesticides Act 1979 or the Hazardous Substances and New Organisms Act 1996;</li> <li>(b) Discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects beyond the boundary of the target property or other non-target areas within the boundary of the property;</li> </ul>	Permitted			

<sup>34</sup> Under the Pesticides (Vertebrate Pest Control) Regulations 1983, approval may be required from the Medical Officer of Health and the relevant district council for the discharge of controlled pesticides.

<sup>35</sup> Aerial spray application of agrichemicals is addressed in the Regional Air Quality Plan for Taranaki (1997). Appendix IV of the Regional Air Quality Plan for Taranaki contains information on good agrichemical spray management practices that provides general guidance on the best practicable option for preventing or minimising adverse effects on the environment from spraying of agrichemicals.

<sup>36</sup> Under the Pesticides (Vertebrate Pest Control) Regulations 1983, approval may be required from the Medical Officer of Health and the relevant district council for the discharge of controlled pesticides.

<sup>37</sup> Aerial spray application of agrichemicals is addressed in the Regional Air Quality Plan for Taranaki (1997). Appendix IV of the Regional Air Quality Plan for Taranaki contains information on good agrichemical spray management practices that provides general guidance on the best practicable option for preventing or minimising adverse effects on the environment from spraying of agrichemicals.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>(c) Discharge shall be undertaken in accordance with manufacturer's instructions and any relevant regulations;</p> <p>(d) A method for positional navigation shall be used;</p> <p>(e) Discharger shall notify the Taranaki Regional Council as soon as practicable in the event of accidental or unintended discharge of agrichemicals to surface water.</p>				
35	Discharge of farm dairy effluent onto or into land <sup>38</sup>	<p>(a) The discharge shall not result or be liable to result in any contaminant entering surface water;</p> <p>(b) Discharge shall not occur within 50m of any bore, well or spring used for water supply purposes;</p> <p>(c) Discharge shall not occur within 25m of any surface waterbody;</p> <p>(d) The discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge or discharges on the environment;</p> <p>(e) The effluent application rate shall not exceed 200 kg N/ha/year.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Location and area of disposal;</li> <li>• Design, construction, location, operation, and maintenance of effluent storage, treatment or disposal system;</li> <li>• Conditions relating to minimum effluent quality and to volume and application rates;</li> <li>• The setting of conditions relating to the effects of the discharge on public water supplies;</li> <li>• administrative charges;</li> <li>• Monitoring and reporting requirements;</li> <li>• Duration of consent;</li> <li>• Review of the conditions of consent and the timing and purpose of the review.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5, 6.2.6
36	Discharge of treated farm dairy effluent to surface water (excluding the wetlands listed in Appendix II) <sup>39</sup>	<p>(a) A dilution rate of 1:100 shall be maintained at all times at the point of discharge;</p> <p>(b) The discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge or discharges on any water body;</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Design, construction, location, operation, and maintenance of effluent storage, treatment and disposal system;</li> <li>• Conditions relating to minimum effluent quality and to volume and discharge rates;</li> <li>• The setting of conditions relating to the effects of the discharge on public water supplies;</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2,

<sup>38</sup>Appendix VIIA contains information on good management practices for the discharge of farm dairy effluent to land that provide general guidance on the best practicable option for preventing or minimising adverse effects on the environment from the discharge of farm dairy effluent to land.

<sup>39</sup>Appendix VIIB contains information on good management practices for the discharge of farm dairy effluent to water that provide general guidance on the best practicable option for preventing or minimising adverse effects on the environment from the discharge of piggery or poultry effluent to land.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		(c) At or beyond the downstream boundary of a mixing zone, the discharge shall not cause the concentration of unionised ammonia to exceed $0.025\text{gm}^{-3}$ NH <sub>3</sub> expressed as nitrogen, nor the concentration of filtered carbonaceous biochemical oxygen demand to exceed $2.0\text{gm}^{-3}$			<ul style="list-style-type: none"> <li>• Dilution rate in receiving waters;</li> <li>• Definition and delineation of mixing zone;</li> <li>• Location of discharge point;</li> <li>• Administrative charges;</li> <li>• Monitoring and reporting requirements;</li> <li>• Duration of consent;</li> <li>• Review of the conditions of consent and the timing and purpose of the review.</li> </ul>	5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.6

## Agricultural discharges (continued)

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
37	Discharge of piggery or poultry washdown water or poultry effluent onto or into land <sup>40</sup>	<p>(a) The discharge shall not result or be liable to result in any contaminant entering surface water;</p> <p>(b) Discharge shall not occur within 50m of any bore or well used for water supply purposes;</p> <p>(c) Discharge shall not occur within 25m of any surface waterbody;</p> <p>(d) The discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge on the environment;</p> <p>(e) The effluent application rate shall not exceed 200 kg N/ha/yr.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>Location and area of disposal;</li> <li>Design, construction, location, operation, and maintenance of effluent storage, treatment and disposal system;</li> <li>Conditions relating to minimum effluent quality and to volume and application rates;</li> <li>Administrative charges;</li> <li>Monitoring and reporting requirements;</li> <li>Duration of consent;</li> <li>Review of the conditions of consent and the timing and purpose of the review;</li> <li>The setting of conditions relating to the effects of the discharge on public water supplies.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4,
38	Discharge of treated poultry washdown water to surface water (excluding the wetlands listed in Appendix II)	<p>(a) A dilution rate of 1:100 shall be maintained at all times at the point of discharge;</p> <p>(b) The discharger shall at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge or discharges on any water body;</p> <p>(c) The discharge shall contain less than 100 gm<sup>-3</sup> suspended solids;</p> <p>(d) At or beyond the boundary of a downstream mixing zone, the discharge shall not cause the concentration of unionised ammonia to exceed 0.025 gm<sup>-3</sup> NH<sub>3</sub> expressed as nitrogen, nor the</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>Design, location, operation and maintenance of washdown water storage, treatment and disposal system;</li> <li>Conditions relating to minimum effluent quality and to volume and discharge rates;</li> <li>The setting of conditions relating to the effects of the discharge on public water supplies;</li> <li>Dilution rate in receiving waters;</li> <li>Definition and delineation of mixing zone;</li> <li>Location of discharge point;</li> <li>Administrative charges;</li> <li>Monitoring and reporting requirements;</li> <li>Duration of consent;</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.7

<sup>40</sup> Appendix VIIC and Appendix VIID contain information on good management practices for the discharge of piggery effluent or poultry washdown water or poultry effluent onto or into land that provide general guidance on the best practicable option for preventing or minimising adverse effects on the environment from the discharge of piggery effluent or poultry washdown water or poultry effluent to water.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		concentration of filtered carbonaceous biochemical oxygen demand to exceed 2.0 gm <sup>-3</sup> .			<ul style="list-style-type: none"> <li>Review of conditions of consent and the timing and purpose of the review.</li> </ul>	
39	Discharge of treated farm dairy effluent (that does not meet the conditions of Rule 36), or treated piggery or poultry effluent to surface water (excluding the wetlands listed in Appendix II)		Discretionary	May be non-notified		3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.6
40	Discharge of untreated farm dairy, piggery or poultry effluent to surface water		Prohibited			

## Discharges from hydrocarbon exploration

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
41	Discharge of surplus drill water and production water from hydrocarbon exploration activities to surface water (excluding the wetlands listed in Appendix II)	<p>(a) The discharger must at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge or discharges to any surface water body.</p> <p>(b) The discharge shall have a pH range of 6.5-8.5;</p> <p>(c) The discharge shall contain less than 15gm<sup>-3</sup> of oil and grease;</p> <p>(d) The discharge shall contain less than 100gm<sup>-3</sup> suspended solids;</p> <p>(e) The discharge shall not cause the temperature of the receiving water to increase by more than 2<sup>o</sup>C or the level of biochemical oxygen demand to increase by more than 2.00gm<sup>-3</sup> after reasonable mixing;</p> <p>(f) The discharge shall not give rise to any or all of the following effects in the receiving water after reasonable mixing:</p> <ul style="list-style-type: none"> <li>- the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</li> <li>- any conspicuous change in the colour or visual clarity;</li> <li>- any emission of objectionable odour;</li> <li>- the rendering of fresh water unsuitable for consumption by farm animals;</li> <li>- any significant adverse effects on aquatic life;</li> </ul> <p>(g) The applicant must provide with an application, a contingency plan for avoiding, remedying or mitigating unauthorised discharges.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Definition and delineation of mixing zone;</li> <li>• Approval of contingency plan and all matters contained therein;</li> <li>• Setting of conditions relating to adverse effects on aquatic life and the environment;</li> <li>• Monitoring and information requirements;</li> <li>• Duration of consent;</li> <li>• Review of conditions of consent and the timing and purpose of the review;</li> <li>• Payment of administrative charges and financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.7

## Discharges from hydrocarbon exploration (continued)

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
42	Discharge of drilling muds, drilling cuttings and drilling wastes onto or into land from hydrocarbon exploration	<p>(a) The discharge shall not result or be liable to result in any contaminant entering surface water;</p> <p>(b) The discharger must at all times adopt the best practicable option to prevent or minimise any adverse effects of the discharge or discharges to any water body or soil;</p> <p>(c) The discharge shall contain less than 15mg/kg oil and grease;</p> <p>(d) There shall be no adverse chemical effects on groundwater beyond the site.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Approval of contingency plan and matters contained therein;</li> <li>• Setting of conditions relating to adverse effects on soil, groundwater and the environment, site closure and rehabilitation;</li> <li>• Monitoring and information requirements;</li> <li>• Duration of consent;</li> <li>• Review of conditions of consent and the timing and purpose of the review;</li> <li>• Payment of administrative charges and financial contributions.</li> </ul>	3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.7

## Other discharges

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
43	Discharge of contaminants or water into surface water (excluding the wetlands listed in Appendix II) which is not provided for in Rules 21-42 or which is provided for but does not meet the standards, terms or conditions		Discretionary			3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.7
44	Discharge of contaminants onto or into land restricted by s15(1)(b) (where contaminants may reach water) and s15(1)(d) (where the discharge is from industrial or trade premises) of the Act which is not expressly provided for in Rules 21-42 or which is provided for but does not meet the standards, terms or conditions <b>and</b> any other discharge of contaminants to land which is provided for in Rules 21-42 but which does not meet the standards, terms or conditions of those rules (irrespective of whether the discharges are from industrial or trade premises or are likely to reach water).		Discretionary			3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.7
45	Discharge of untreated municipal sewage to water		Prohibited			



# Groundwater

## Bore or well construction

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
46	Drilling and/or construction of a well, bore, piezometer or seismic survey into and under land	<ul style="list-style-type: none"> <li>(a) Any person who undertakes the activity must, within 4 weeks of completion of any bore for taking and use of water or any piezometer, submit to the Taranaki Regional Council a Bore Completion Log;</li> <li>(b) All bores must be cased and sealed to prevent the potential for aquifer cross-contamination or leakage from the surface;</li> <li>(c) The well or bore shall be located not less than 50m from any effluent treatment pond, septic tank, silage stack or pit;</li> <li>(d) A bore for water supply purposes shall be located not less than 500m from mean high water springs or adjacent bores;</li> <li>(e) A well shall be located not less than 25m from the sea or adjacent wells or surface water bodies;</li> <li>(f) Any seismic survey shall be located not less than 100m from any bore, well or spring used for water supply purposes.</li> </ul>	Permitted			
47	Drilling and/or construction of a well, bore, piezometer or seismic survey into and under land that does not meet the conditions of Rule 46		Discretionary	May be non-notified		4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.5.1, 6.5.2, 6.5.5

## Taking and use of groundwater

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
48	<p>Taking and use of water from a well or bore</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The daily volume of abstraction shall not exceed 50m<sup>3</sup>;</p> <p>(b) The rate of abstraction shall not exceed 1.5l/s;</p> <p>(c) The bore shall be located not less than 500m from the sea or adjacent bores;</p> <p>(d) The well shall be located not less than 25m from the sea or adjacent wells or surface water bodies;</p> <p>(e) The well or bore shall be located not less than 50m from any effluent treatment pond, septic tank, silage stack or pit.</p>	Permitted			
49	<p>Taking and use of water from a well or bore which does not meet the conditions of Rule 48</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) The abstraction shall cause not more than a 10% lowering of static water-level by interference with any adjacent bore;</p> <p>(b) The abstraction shall not cause the intrusion of saltwater into any fresh water aquifer.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Volume and rate of abstraction;</li> <li>• Daily timing of abstraction;</li> <li>• Effect on adjacent bores, the aquifer, river levels, wetlands and sea water intrusion;</li> <li>• Fitting of equipment to regulate flows and to monitor water volumes, levels, flows and pressures;</li> <li>• Payment of administrative charges;</li> <li>• Monitoring and reporting requirements;</li> <li>• Duration of consent;</li> <li>• Review of the conditions of consent and the timing and purpose of the review.</li> </ul>	4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.4.1, 6.4.2, 6.4.3
50	<p>Taking and use of water from a well or bore which does not meet the standards and terms of Rule 49</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Discretionary	May be non-notified		4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.4.1, 6.4.2, 6.4.3

## Deepwell injection

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
51	The discharge of contaminants to groundwater by deepwell injection or water flooding		Discretionary	May be non-notified		4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.5.3, 6.5.4

Uses of river and lake beds  
(excluding the Hangatahua (Stony) River catchment)

## Existing structures

**Advisory note:** Rules 52-57; 59; 61 & 64 of this Plan do not apply to existing structures on river and lake beds associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The NES-PF regulations prevail over these rules in relation to plantation forestry.<sup>41</sup>

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
52	<p>Use of existing structures in, on, under, or over the bed of a river or lake</p> <p><b>Note:</b> This rule excludes existing structures on river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Structure was lawfully established and in use at the date of public notification of this Plan;</p> <p>(b) Structure must not restrict the passage of fish;</p> <p>(c) There shall be no significant adverse effects on aquatic life or instream habitat.</p>	Permitted			

<sup>41</sup> The NES-PF regulations that prevail over the Plan rules identified above include Regulations 37 to 49 and 87-92.

## Maintenance of structures

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
53	<p>Maintenance, repair reconstruction or minor upgrading of a structure, in, on, under, or over the bed of a river or lake.</p> <p><b>Note:</b> This rule excludes maintenance of structures on river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Activity is for the purpose of maintaining structure in good repair or working order or for minor upgrading;</p> <p>(b) No contaminants shall be released to the river or lake bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river or lake bed;</p> <p>(c) Sediment disturbance shall not give rise to a decrease in visual clarity of water on more than 50% beyond a zone of reasonable mixing<sup>42</sup> that is persistent and ongoing;</p> <p>(d) There shall be no significant adverse effects on aquatic life or instream habitat;</p> <p>(e) All material removed from the structure and excess construction materials must be removed from the bed;</p> <p>(f) Water diverted from the structure, for the purposes of carrying out the activity, shall be for a period of no more than 48 hrs;</p> <p>(g) Disturbance of the bed is the minimum necessary to carry out the required works.</p>	Permitted			
54	<p>Maintenance, repair, alteration, reconstruction or minor upgrading of an existing structure, in, on, under, or over the bed of a river or lake, that does not meet the conditions of Rule 53</p> <p><b>Note:</b> This rule excludes maintenance of structures on river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Activity is for the purpose of maintaining structure in good repair or working order or for minor upgrading.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on water quality;</li> <li>• Effects on aquatic ecosystems;</li> <li>• Effects on the values of the waterbody;</li> <li>• Disturbance of the bed;</li> <li>• The method and timing of works;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.9

<sup>42</sup> Decrease in visual clarity will be measured using the standard black disc measure.

## Removal of structures

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
55	<p>Removal, demolition or decommissioning of a structure, or any part of a structure, in, on, under, or over the bed of a river or lake</p> <p><b>Note:</b> This rule excludes removal of structures on river and lake beds regulated by the NES-PF.</p>	<ul style="list-style-type: none"> <li>(a) There shall be no use of explosives in the water;</li> <li>(b) Structure does not alter the existing level of the bed by more than 500mm in vertical height;</li> <li>(c) Channel width of river (measured from bank to bank) is no greater than 10m;</li> <li>(d) Structure, or part of the structure being removed, must be completely removed from the bed;</li> <li>(e) The structure is not on or in an area listed on the Historic Places Trust Register or an identified wāhi tapu;</li> <li>(f) No significant erosion, scour or deposition results from the removal or demolition of the structure;</li> <li>(g) Disturbance of the bed is the minimum necessary to carry out the required works;</li> <li>(h) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water;</li> <li>(i) Sediment disturbance shall not conspicuously change the visual clarity of the water beyond a zone of reasonable mixing<sup>43</sup>;</li> <li>(j) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(k) No contaminants shall be released to the river or lake bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river or lake bed;</li> <li>(l) The Taranaki Regional Council shall be informed that the removal or demolition activity is to occur, at least two working days prior to its commencement.</li> </ul>	Permitted			

<sup>43</sup> See definition in section 2 of the Plan.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
56	<p>Removal, demolition or decommissioning of a structure, or any part of a structure, in, on, under, or over the bed of a river or lake, which does not meet the conditions of Rule 55</p> <p><b>Note:</b> This rule excludes removal of structures on river and lake beds regulated by the NES-PF.</p>	(a) Structure, or part of the structure being removed, must be completely removed from the bed.	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Duration of consent;</li> <li>• Removal of accumulated sediment or bed material;</li> <li>• Effects on water quality, aquatic ecosystems, and the relationship of Tangata Whenua with the water body;</li> <li>• The diversion of water;</li> <li>• Disturbance of the bed;</li> <li>• Method and timing of works;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.7, 6.6.9

## Access structures

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
57	<p>Construction, placement and use of a culvert, ford or bridge in, on, under or over the bed of a river<sup>44</sup></p> <p><b>Note:</b> This rule excludes access structures on river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Cross sectional area of the river bed on or over which the culvert, ford or bridge is to be placed (measured from the top of each bank) is no greater than 10m<sup>2</sup>;</li> <li>(b) Structure shall not alter the natural course of the river nor reduce channel capacity to convey flood flows;</li> <li>(c) No significant erosion, scour or deposition results from placement of the structure;</li> <li>(d) Structure shall not restrict the passage of fish;</li> <li>(e) Excess construction materials shall be removed from the bed;</li> <li>(f) Sediment disturbance shall not conspicuously change the visual clarity of the water beyond a zone of reasonable mixing<sup>45</sup>;</li> <li>(g) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(h) Disturbance of the bed shall be the minimum necessary to carry out the required works;</li> <li>(i) No contaminants shall be released to the river bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river bed;</li> <li>(j) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water;</li> <li>(k) The Taranaki Regional Council shall be informed that the placement of the structure is to occur,</li> </ul>	Permitted			

<sup>44</sup> Bridges may require a building consent from the relevant territorial authority under the Building Act 1991.

<sup>45</sup> See definition in Section 2 of the Plan.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>at least two working days prior to the commencement of works;</p> <p>(l) Culvert is not greater than 1m in diameter, with no more than 1m of fill over the culvert (measured from the bed level to the crest of the fill);</p> <p>(m) Culvert is not greater than 25m in length;</p> <p>(n) Ford raises the level of the bed no more than 300mm;</p> <p>(o) Bridge has no abutments or piers fixed in or on the bed;</p> <p>(p) Bridge soffit is placed level with or above adjoining ground level at the top of the bank;</p> <p>(q) No culverts shall be constructed, placed or used within a defined urban catchment<sup>46</sup>.</p>				
58	<p>Construction, placement and use of culverts within defined urban catchments<sup>47</sup></p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Structure shall not alter the natural course of the river nor reduce channel capacity to convey flood flows;</p> <p>(b) Structure shall not restrict the passage of fish;</p> <p>(c) No significant erosion, scour or deposition shall result from the placement of the structure;</p> <p>(d) Excess construction materials shall be removed from the bed;</p> <p>(e) Disturbance of the bed shall be the minimum necessary to carry out the required works.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on water quality;</li> <li>• Effects on aquatic ecosystems;</li> <li>• Effects on the values of the waterbody;</li> <li>• Disturbance of the bed;</li> <li>• Deposition on the bed;</li> <li>• Design of the structure;</li> <li>• The location, method and timing of works;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.9

<sup>46</sup> Defined urban catchments are contained in Appendix IX of the Plan.

<sup>47</sup> Defined urban catchments are contained in Appendix IX of the Plan.

## Barrier structures

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
59	<p>Construction, placement and use of a dam<sup>48</sup>, weir, bed level control, or silt retention structure, that impounds water, in or on the bed of a river or lake</p> <p><b>Note:</b> This rule excludes barrier structures on river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Structure has a maximum wall height (measured vertically from the downstream bed to the crest) of not more than 3m;</li> <li>(b) Catchment area upstream of the structure is not more than 25ha;</li> <li>(c) Structure must have an auxiliary spillway which is capable of conveying flood flows;</li> <li>(d) Structure must not impound water beyond the property on which it is built, unless agreed to in writing by any affected property owner(s);</li> <li>(e) No takes for domestic use, stock-watering, fire-fighting, or any other take authorised by a resource consent, shall be restricted by the construction, placement and use of the structure;</li> <li>(f) Structure must not alter the natural course of the river nor reduce channel capacity to convey flood flows;</li> <li>(g) No significant erosion, scour or deposition shall result from placement of the structure;</li> <li>(h) No contaminants shall be released to the river or lake bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river or lake bed;</li> <li>(i) Excess construction materials shall be removed from the bed;</li> <li>(j) Disturbance of the bed shall be the minimum necessary to carry out the required works;</li> </ul>	Permitted			

<sup>48</sup> Dams greater than three metres in height require a building consent from the relevant territorial authority under the Building Act 1991.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<ul style="list-style-type: none"> <li>(k) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water;</li> <li>(l) Sediment disturbance shall not conspicuously change the visual clarity of the water beyond a zone of reasonable mixing<sup>49</sup>;</li> <li>(m) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(n) Structure shall not restrict the passage of fish;</li> <li>(o) The Taranaki Regional Council shall be informed that the placement of the structure is to occur, at least two working days prior to the commencement of works.</li> </ul>				

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<sup>49</sup> See definition in Section 2 of the Plan.

## Other structures

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
60	<p>Construction, placement and use of structures undertaken by or on behalf of the Taranaki Regional Council for the purpose of river and flood control</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) No significant erosion, flooding scour or deposition shall result or be likely to result from placement of the structure;</li> <li>(b) Works shall not cause a navigational hazard;</li> <li>(c) Excess construction materials shall be removed from the bed;</li> <li>(d) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(e) Disturbance of the bed shall be the minimum necessary to carry out the required works;</li> <li>(f) The Taranaki Regional Council shall be informed that the works are to occur, at least two working days prior to the commencement of works;</li> <li>(g) Sediment disturbance shall not conspicuously change the visual clarity of water beyond a zone of reasonable mixing.</li> </ul>	Permitted			
61	<p>Construction, placement and use of structures in, on, under or over the bed of a river or lake, excluding structures provided for in Rules 57-60</p> <p><b>Note:</b> This rule excludes other structures on river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Structures for the conveyance of stormwater shall be no greater than 150mm in diameter;</li> <li>(b) Structure shall not cause a navigational hazard;</li> <li>(c) Structure does not alter the natural course of the river nor reduce channel capacity during flood flows;</li> <li>(d) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(e) Structure does not cause significant erosion, scour or deposition;</li> <li>(f) Disturbance of the bed shall be the minimum necessary to carry out the required works;</li> <li>(g) No contaminants shall be released to the river or lake bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river or lake bed;</li> </ul>	Permitted			

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		(h) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water; (i) Sediment disturbance will not conspicuously change the visual clarity of water beyond a zone of reasonable mixing <sup>50</sup> ; (j) All construction materials shall be removed from the bed; (k) Water is only diverted to the extent, and for the period, necessary to carry out the works; (l) Structure shall not restrict the passage of fish.				
62	Construction, placement and use of structures for the purpose of river and flood control in, on, under or over the bed of a river or lake which cannot meet the conditions of Rule 60  <b>Note:</b> NES-F regulations may prevail over the Plan rule.	(a) Length of structure shall be no more than 15 metres; (b) Structure shall not result in any flooding or erosion of any properties; (c) No significant erosion or scour shall result or be likely to result from placement of the structure; (d) Excess construction materials shall be removed from the bed.	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on water quality;</li> <li>• Effects on aquatic ecosystems;</li> <li>• Effects on the values of the waterbody;</li> <li>• Disturbance of the bed;</li> <li>• Deposition on the bed;</li> <li>• Design of the structure;</li> <li>• Future extensions of the structure;</li> <li>• The location, method and timing of works;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.9, 6.6.10
63	Construction, placement and use of piped or channelled stormwater structures in, on, under or over the bed of a river or lake in a defined urban catchment as shown in	(a) Structure has an internal diameter of 900mm or less, or an equivalent cross sectional area; (b) An outfall structure shall extend no greater than 1 metre out from the toe of the bank and shall not cause a navigational hazard;	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on water quality;</li> <li>• Effects on aquatic ecosystems;</li> <li>• Effects on the values of the waterbody;</li> <li>• Disturbance of the bed;</li> <li>• Deposition on the bed;</li> <li>• Design of the structure;</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1,

<sup>50</sup> See definition in Section 2 of the Plan.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
	Appendix IX which does not meet the conditions of Rule 61  <b>Note:</b> NES-F regulations may prevail over the Plan rule.	(c) No significant erosion, scour or deposition results from placement of the structure or the discharge from it; (d) Excess construction materials shall be removed from the bed; (e) Disturbance of the bed must be the minimum necessary to carry out the required works.			<ul style="list-style-type: none"> <li>• The location, method and timing of works;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.9
64	Construction, placement and use of any structure that does not meet the standards, terms and conditions of Rules 52-63  <b>Note:</b> This rule excludes other structures on river and lake beds regulated by the NES-PF.  NES-F regulations may prevail over the Plan rule.		Discretionary			3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.2, 6.6.3, 6.6.6, 6.6.9, 6.6.10

## Plants

**Advisory note:** Rules 65-68 of this Plan do not apply to planting and removal of vegetation associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The NES-PF regulations prevail over these rules in relation to plantation forestry.<sup>51</sup>

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
65	Removal of vegetation from the bed of a river or lake for the purpose of river and flood control (excluding activities covered by Rule 78)  <b>Note:</b> This rule excludes planting and removal of vegetation regulated by the NES-PF.  NES-F regulations may prevail over the Plan rule.	(a) Vegetation removed must be completely removed from the bed; (b) Disturbance of the bed is the minimum necessary to carry out the works; (c) Removal of vegetation does not have significant adverse effects on aquatic life and instream habitat; (d) Sediment disturbance shall not conspicuously change the visual clarity of water beyond a zone of reasonable mixing.	Permitted			
66	The trimming and clearance of vegetation in the bed of a river or lake associated with the safe and efficient operation of bridges, pipelines, cableways and telecommunication lines  <b>Note:</b> This rule excludes planting and removal of vegetation regulated by the NES-PF.  NES-F regulations may prevail over the Plan rule.	(a) Vegetation removed must be completely removed from the bed; (b) Sediment disturbance will not conspicuously change the visual clarity of water beyond a zone of reasonable mixing; (c) Disturbance of the bed is the minimum necessary to carry out the works; (d) No contaminants shall be released to the river or lake bed from equipment being used for the activity, and no refuelling of equipment shall take place on any area of the river or lake bed; (e) There shall be no significant adverse effects on aquatic life or instream habitat.	Permitted			
67	Removal of vegetation from the bed of human-made lakes	(a) Vegetation removed shall be completely removed from the bed;	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on water quality;</li> <li>• Effects on aquatic ecosystems;</li> <li>• Effects on the values of the waterbody;</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3,

<sup>51</sup> The NES-PF regulations that prevail over the Plan rules identified above include Regulations 12; 14(3); 16(2); 17(1), (3) & (4).

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
	<p><b>Note:</b> This rule excludes planting and removal of vegetation regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Disturbance of the bed shall be the minimum necessary to carry out the works;</p> <p>(b) The best practicable option shall be adopted at all times to prevent or minimise any actual or potential adverse effect on the environment arising from any disturbance activities.</p>			<ul style="list-style-type: none"> <li>• Disturbance of the bed;</li> <li>• Deposition on the bed;</li> <li>• The location, method and timing of the activity;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.4, 6.6.6, 6.6.9, 6.6.10
68	<p>Planting, introduction or removal of vegetation from within the bed of a river or lake that is not provided for or does not meet the conditions of Rules 65-67</p> <p><b>Note:</b> This rule excludes planting and removal of vegetation regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>		Discretionary	May be non-notified		3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.4, 6.6.6, 6.6.9, 6.6.10

## Other uses of river and lake beds

**Advisory note:** Rules 69, 74 and 76 of this Plan do not apply to other uses of river and lake beds associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The NES-PF regulations prevail over these rules in relation to plantation forestry.<sup>52</sup>

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
69	<p>The clearance or removal of debris<sup>53</sup> from the bed of a river or lake for the purpose of river and flooding control</p> <p><b>Note:</b> This rule excludes other uses of river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Debris shall not include sand, gravel or other bed material;</li> <li>(b) Debris cleared must be completely removed from the bed;</li> <li>(c) Disturbance of the bed shall be the minimum necessary to reduce the threat of flooding or erosion to an acceptable level;</li> <li>(d) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water;</li> <li>(e) Activity shall not alter the natural course of the river;</li> <li>(f) No erosion, scour or deposition shall result from the clearance;</li> <li>(g) There shall be no significant adverse effects on aquatic life or instream habitat.</li> </ul>	Permitted			
70	<p>Extraction of sand or gravel from the bed of a river for domestic or on-farm purposes</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Sand or gravel is for private use on the property from which it is extracted;</li> <li>(b) Quantity of bed material extracted is no greater than 15m<sup>3</sup>/yr;</li> <li>(c) Disturbance of the bed shall be the minimum necessary to carry out the required works;</li> <li>(d) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water;</li> </ul>	Permitted			

<sup>52</sup> The NES-PF regulations that prevail over the Plan rules identified above include Regulations 54(3); 55; 56; 59; 60(3) & (4); 61(5); 65; 68; 69; 70(3) & (4); & 71; 74; 75; 83(2); and 84-92.

<sup>53</sup> Debris is material that may be obstructing river flows or causing a nuisance and includes tree trunks and branches, structures or parts of structures and dead stock (see Section 2 of this Plan for definition).

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<ul style="list-style-type: none"> <li>(e) Sand or gravel is extracted from an area of the river bed not covered by water at the time of extraction;</li> <li>(f) Area from which sand or gravel is extracted is levelled out so that no mounds or depressions remain.</li> </ul>				
71	<p>Extraction of sand, gravel, aggregate or rocks from a river or lake bed, or the recontouring of the bed, for flood and river control purposes carried out by or on behalf of the Taranaki Regional Council</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<ul style="list-style-type: none"> <li>(a) Extraction or recontouring must not restrict the passage of fish;</li> <li>(b) Between 1 May and 31 October there shall be no disturbance of any part of the bed covered by water;</li> <li>(c) There shall be no significant adverse effects on aquatic life or instream habitat;</li> <li>(d) Disturbance of the bed shall be the minimum necessary to carry out the required works;</li> <li>(e) The Taranaki Regional Council shall be informed that the works are to occur, at least two working days prior to the commencement of works;</li> <li>(f) Sediment disturbance shall not conspicuously change the visual clarity of water beyond a zone of reasonable mixing.</li> </ul>	Permitted			

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
72	<p>Extraction of sand, gravel, aggregate or rocks from:</p> <ul style="list-style-type: none"> <li>the bed of a lake that is not provided for or does not meet the conditions of Rules 70 and 71 or<sup>54</sup>,</li> <li>a river that does not meet the conditions of Rules 70 and 71</li> </ul> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Discretionary			3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.5, 6.6.6, 6.6.9, 6.6.10
73	<p>Extraction of sand, gravel, aggregate or rocks from the bed of a river for purposes other than those specified in Rules 70 and 71</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>		Prohibited			
74	<p>Realignment or modification of a stream or river</p> <p><b>Note:</b> This rule excludes other uses of river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Catchment area upstream of the realignment or modification is no more than 25ha;</p> <p>(b) Drainage channel shall be no greater than 4m<sup>2</sup> in cross-sectional area;</p> <p>(c) Length of stream or river to be realigned or modified shall not exceed 200m;<sup>55</sup></p>	Permitted			

<sup>54</sup> Where extraction occurs outside of a river or lake bed and groundwater seepage and stormwater accumulates, the extraction of material is not considered to be occurring from the bed of a lake.

<sup>55</sup> For the purpose of this rule the length of river or stream to be realigned or modified is defined as the length of river or stream on any particular property or contiguous property and includes any length of realignment or modification undertaken since the date that the Plan became operative.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>(d) No significant erosion, scour or deposition shall result or be liable to result from channel modification;</p> <p>(e) Realignment or modification shall not restrict the passage of fish;</p> <p>(f) Realignment or modification shall not cause flooding or erosion of downstream or adjacent properties;</p> <p>(g) Disturbance of the bed is the minimum necessary to carry out the required works;</p> <p>(h) The Taranaki Regional Council shall be informed that the realignment or channel modification work is to occur, at least two working days prior to its commencement;</p> <p>(i) There shall be no significant adverse effects on aquatic life or instream habitat.</p>				
75	Disturbance of the beds of human-made lakes by dredging	<p>(a) Disturbance of the bed shall be the minimum necessary to carry out the required works;</p> <p>(b) The best practicable option shall be adopted at all times to prevent or minimise any actual or potential effect on the environment arising from any disturbance activities.</p>	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> <li>• Effects on water quality;</li> <li>• Effects on aquatic ecosystems;</li> <li>• Effects on the values of the waterbody;</li> <li>• Disturbance of the bed</li> <li>• Deposition on the bed</li> <li>• The location, method and timing of the activity;</li> <li>• Duration of consent;</li> <li>• Monitoring and reporting requirements;</li> <li>• Review of consent conditions and the timing and purpose of the review;</li> <li>• Payment of administrative charges;</li> <li>• Payment of financial contributions.</li> </ul>	3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.9
76	Excavation, drilling, tunnelling, deposition of any substance, reclamation, and any other disturbance of the bed of a river or lake which is not provided for		Discretionary			3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3,

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
	<p>or does not meet the conditions of Rules 69, 74 and 75</p> <p><b>Note:</b> This rule excludes other uses of river and lake beds regulated by the NES-PF.</p> <p>NES-F regulations may prevail over the Plan rule.</p>					<p>4.1.4, 4.1.5, 4.1.6, 5.1.1, 6.6.1, 6.6.9</p>



Land drainage  
(excluding in the Hangatahua (Stony) River catchment)

## Land drainage

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
77	<p>Diversion of water for the purpose of land drainage (except as provided for in Rules 80 to 87)</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Area of land drained shall be no greater than 10 ha;</p> <p>(b) No wetland over 5 ha is to be drained;<sup>56</sup></p> <p>(c) Drainage shall not cause flooding of downstream or adjacent properties;</p> <p>(d) No significant erosion, scour or deposition shall result from the diversion or associated discharge;</p> <p>(e) Drainage channels are of no greater than 300mm in diameter; or</p> <p>(f) Drainage channels are no greater than 4m<sup>2</sup> in cross-sectional area;</p> <p>(g) There shall be no significant adverse effects on aquatic life or instream habitat;</p> <p>(h) No wetland listed in Appendix III is to be drained.</p>	Permitted			
78	<p>Construction, use and maintenance of drainage channels associated with permitted land drainage activities (provided for in Rule 77)</p> <p><b>Note:</b> NES-F regulations may prevail over the Plan rule.</p>	<p>(a) Drainage channel shall be being constructed or maintained for the purpose of carrying out drainage activities permitted under Rule 77;</p> <p>(b) Activity shall not cause significant adverse effects on aquatic life or stream habitat;</p> <p>(c) Disturbance of any channel shall be the minimum necessary to carry out the required works;</p> <p>(d) Activity shall not cause flooding of downstream or adjacent properties.</p>	Permitted			
79	Land drainage activities (excluding drainage of wetlands listed in Appendix II) which are not provided for in Rules 77-78 or do		Discretionary	May be non-notified		3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3,

<sup>56</sup> For the purpose of this condition, the term 'wetland' does not include artificially created wetlands or wet pasture comprising exoitic grasses or juncus rushes.

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
	not meet the conditions of Rules 77-78  <b>Note:</b> NES-F regulations may prevail over the Plan rule.					4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.7.1, 6.8.1, 6.8.2, 6.8.4



# Wetlands

# Wetlands

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
80	Diversion of water from a regionally significant wetland listed in Appendix IIB  <b>Note:</b> NES-F regulations may prevail over the Plan rule.		Discretionary			3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.7.1, 6.8.2, 6.8.4
81	Drainage or reclamation of a regionally significant wetland listed in Appendix IIB  <b>Note:</b> NES-F regulations may prevail over the Plan rule.		Discretionary			3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.7.1, 6.8.2, 6.8.4
82	Planting and introduction of vegetation in a regionally significant wetland listed in Appendix IIB for the purposes of land drainage		Discretionary			3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.2.1, 5A.2.2, 5A.2.3, 6.7.1, 6.8.2, 6.8.4
83	Discharge of contaminants or water into a regionally significant wetland listed in Appendix IIB  <b>Note:</b> NES-F regulations may prevail over the Plan rule.		Discretionary			3.1.7, 3.2.1, 3.2.2, 3.2.3, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 5.1.1, 5A.1.1, 5A.1.2, 5A.1.3, 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.8.2, 6.8.4

Rule	Activity	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
84	Diversion of water from a regionally significant wetland listed in Appendix IIA  <b>Note:</b> NES-F regulations may prevail over the Plan rule.		Prohibited			
85	Drainage or reclamation of a regionally significant wetland listed in Appendix IIA		Prohibited			
86	Planting and introduction of vegetation in a regionally significant wetland listed in Appendix IIA for the purposes of land drainage		Prohibited			
87	Discharge of contaminants or water into a regionally significant wetland listed in Appendix IIA		Prohibited			

## 7.4 Explanation of rules

### 7.4.1 Hangatahua (Stony) River catchment

#### **Rule 1: Taking and use of surface water (domestic, stock-watering, fire-fighting)**

Section 14(3) of the Act allows a person to take and use water for reasonable domestic and stock water needs, and for fire-fighting purposes. Rule 1 allows for the taking and use of surface water in the Hangatahua (Stony) River catchment, provided that the three stated conditions can be met. These conditions have been adopted to ensure that the taking and use does not have an adverse effect on the environment. This is also a requirement of section 14(3) of the Act.

#### **Rule 2: Taking and use of surface water (agricultural and horticultural activities)**

Rule 2 provides for the taking and use of surface water in the Hangatahua (Stony) River catchment for agricultural and horticultural activities, but requires that a resource consent be obtained. This requirement ensures that adverse effects on the environment will be avoided, remedied or mitigated, and also allows the conditions relating to the combined quantity of the takes and the assessment of alternative sources of water to be enforced. The conditions reflect the requirements of the Local Water Conservation (Stony (Hangatahua) River) Notice 1985, which was part of the Transitional Plan. The first two conditions have been included to limit the amount of water that an individual can take, in order to retain the quantities, flows and levels of water as far as practicable in their natural state. This is a requirement of the Local Water Conservation Notice.

#### **Rule 3: Taking and use of surface water which is not otherwise provided for in Rules 1 and 2**

The taking and use of surface water from the Hangatahua (Stony) River for any purposes other than those allowed by Rules 1 and 2 is a prohibited activity. This rule continues the intent of the Local Water Conservation Notice which stated that (subject to some exemptions) no water right should be granted and no general authorisation made in respect of the Hangatahua (Stony) River catchment where the effect of doing so would be that the provisions of the Notice could not remain in force without change or variation. The fourth provision of the Notice stated that the quantity and rate of flow in

the Hangatahua (Stony) River and its tributaries, and the quantity and level of natural water in the ponds and tarns that form part of the protected waters, were to be retained in their natural state. The only way to ensure that this provision remains in effect without change or variation is to prohibit taking and use of surface water for purposes other than those listed in Rules 1 and 2.

#### **Rule 4: Damming of water**

Rule 4 prohibits the damming of water in the Hangatahua (Stony) River catchment. This rule is consistent with the fifth provision of the Local Water Conservation Notice, which stated that a right to dam any river or stream that formed part of the protected waters would not be granted.

#### **Rule 5: Diversion of water which is not otherwise provided for in Rules 12 and 13**

The diversion of water from the Hangatahua (Stony) River catchment is a prohibited activity unless the diversion is for the purposes of river and flood control (these types of diversions are addressed under Rules 12 and 13). Diversions of water would have the effect of altering the natural state of the quantity and rate of flow of water in the catchment, and would therefore go against the fourth provision of the Local Water Conservation Notice.

#### **Rule 6: Discharge of contaminants or water to water**

The discharge of contaminants or water to water within the Hangatahua (Stony) River catchment is a prohibited activity in order to continue the intent of the Local Water Conservation Notice. The third provision of the Notice stated that the protected waters included and provided for regionally important fisheries and angling features, scenic characteristics and recreational features, and cultural, historical and educational features. Allowing the discharge of contaminants or water to water would be inconsistent with protecting these features.

**Note:** The discharge of contaminants to land will be controlled by the relevant rules in the Discharge of Contaminants to Land and Water section of rules.

#### **Rule 7: Maintenance of existing or authorised structures**

Rule 7 provides for the maintenance of existing or authorised structures in the bed of the Hangatahua (Stony) River catchment as a permitted activity, as long as the stated

conditions can be met. The conditions have been adopted to ensure any adverse effects on the environment will be minor. This rule continues the intent of provision 6(2)(iii) of the Local Water Conservation Notice.

**Rule 8: Construction, placement and use of specified structures, and maintenance which cannot meet the conditions of Rule 7**

Rule 8 makes the construction, placement and use of pipelines, roads and bridges a discretionary activity. This continues the intent of provision 6(2)(iii) of the Local Water Conservation Notice, while also recognising that construction, placement and use of these structures can have adverse effects on the regionally important characteristics of the catchment. Rule 8 also provides that where maintenance of existing or authorised structures cannot meet the conditions of Rule 7 it will be a discretionary activity and require a resource consent.

**Rule 9: Use, erection, reconstruction, placement, alteration, extension, removal or demolition of a structure not otherwise provided for by Rules 7, 8, 10 or 11**

The use, erection, reconstruction, placement, alteration, extension, removal or demolition of a structure that is not provided for by Rules 7, 8, 10 or 11 is a prohibited activity. Rules 7, 8, 10 and 11 provide for structures that were recognised as exemptions in the Local Water Conservation Notice. Other structures are likely to have adverse effects on the regionally important characteristics and features listed in the third provision of the Notice.

**Rule 10: River and flood control activities**

Rule 10 permits any activity that is restricted under section 13(1) of the Act, and is undertaken by or on behalf of the Taranaki Regional Council for the purposes of river and flood control, provided that the stated conditions can be met. Provision 6(2)(iv) of the Local Water Conservation Notice provided that water rights could be granted and general authorisations made for activities undertaken for river and flood control purposes pursuant to the Soil Conservation and Rivers Control Act 1941. Rule 10 therefore continues this provision, with conditions that are the same as those contained in the relevant rule in the Uses of River and Lake Beds section of the Plan.

**Rule 11: River and flood control activities**

Where activities undertaken under section 13(1) of the Act for the purposes of river and flood control cannot meet the conditions of Rule 10, the adverse effects on the environment of the activity are likely to be more than minor, and the activity should be controlled by means of a resource consent. Requiring a resource consent for these activities will allow for the regionally important characteristics and features listed in the Local Water Conservation Notice to be protected.

**Rule 12: Diversion of water for the purposes of river and flood control**

Provision 6(2)(ii) of the Local Water Conservation Notice provided that water rights could be granted and general authorisations made for diversions associated with the extraction of aggregate from the bed or flood plain of the Hangatahua (Stony) River provided that the extraction was for river control purposes. Provision 6(2)(iv) provided for activities for the purposes of river and flood control. Rule 12 continues these provisions as permitted activities, provided that the diversion of water is undertaken by or on behalf of the Taranaki Regional Council and the stated conditions can be met. The conditions have been made to ensure that adverse effects on the environment are minor, and are much the same as the conditions on diversions in other catchments in the region.

**Rule 13: Diversion of water for the purposes of river and flood control that cannot meet the conditions of Rule 12**

Those diversions for river and flood control purposes that cannot meet the conditions of Rule 12 are likely to have more than minor adverse effects on the regionally important characteristics and features that were listed in the Local Water Conservation Notice. For this reason, it is appropriate that the Taranaki Regional Council control the activity by requiring a resource consent.

**Rule 14: Prohibited activities**

Section 13(1) of the Act restricts a variety of activities in river and lake beds unless a Plan or a resource consent allows the activity. Because of the regionally important characteristics and features that were listed in the Local Water Conservation Notice (and which have been listed in Appendix IA), and in order to continue the protection of the waters of the Hangatahua (Stony) River catchment, the activities that are restricted by section 13(1) of the Act, and have not been provided for in other rules, are prohibited.

## 7.4.2 Taking, use, damming and diversion of surface water

### **Rule 15: Taking and use of surface water**

Rule 15 is to provide for minor takes of water without the need for a resource consent, provided that the stated conditions are met. The conditions limit abstractions to small takes with a restriction on the proportion of flow that may be taken, to ensure that there will be no significant adverse effects on the environment. There is no restriction on the purposes for which water may be taken, and the conditions are designed to allow takes for reasonable domestic and stock water needs. The volume of abstraction is the total volume that is allowed for a property described on a particular certificate of title.

### **Rule 16: Taking and use of surface water which does not meet the conditions of Rule 15**

Rule 16 is to enable all other takes of water (with the exception of takes from those rivers and streams listed in Policy 6.1.1) which do not meet the conditions of Rule 15, to be considered on a case-by-case basis. These will be for larger takes which exceed the conditions in Rule 15. In considering takes under Rule 15, and whether or not to grant consent and the conditions that may be imposed, the Taranaki Regional Council will have regard to the policies in the Plan.

### **Rule 17: Taking and use of surface water from water bodies listed in Policy 6.1.1, where the taking and use is not otherwise provided for**

Rule 17 is to prohibit the taking and use of surface water from those catchments or water bodies listed in Policy 6.1.1, which are not otherwise provided for in Rule 15. Small or minor or temporary takes are permitted by Rule 15, but larger takes have been prohibited to retain the quantity and rate of flow in these water bodies, as far as possible in their natural state. This extends the protection of the waters of the Hangatahua (Stony) River provided for in the Local Water Conservation Notice to those water bodies listed in Policy 6.1.1.

### **Rule 18: Damming or diversion of water from a river or stream**

Rule 18 allows minor diversions or damming of water from a river or stream. If the stated conditions are met the work is likely to be of a minor nature and therefore will have only minor adverse effects on the environment, and can be permitted. The activity

of damming does not allow the consumptive use of water. If water is being taken and the dam structure enables this abstraction, then the activity is either permitted (under Rule 15) or a resource consent is required, to ensure that a residual flow is maintained below the dam structure. The conditions of Rule 18 are the same of those that will apply to the structure itself, so that both parts of the activity are dealt with consistently.

### **Rule 19: Damming or diversion of water for the purposes of river and flood control**

Rule 19 controls the damming or diversion of water for the purposes of flood or erosion control. Other activities such as placement and use of river control works are permitted activities as long as they are undertaken by or on behalf of the Taranaki Regional Council and it is therefore appropriate that the damming or diversion of water associated with these works also be permitted. The conditions of the activity are to ensure that adverse effects on the environment are minor.

### **Rule 20: Damming or diversion of water from a river or lake which does not meet the conditions of Rules 18 and 19**

The damming or diversion of water from a river or lake which does not meet the conditions of Rules 18 or 19, has the potential to significantly affect the functioning of the aquatic ecosystem and have other significant adverse effects. For this reason the activity has been made discretionary. The policies listed will assist the Taranaki Regional Council to set conditions to avoid, remedy or mitigate adverse effects.

## 7.4.3 Discharge of contaminants to land and water

### **Rule 21: Discharge of water into water**

This rule addresses discharges of water into surface water. This covers minor discharges that are unlikely to have adverse effects provided that they comply with the stated conditions. Reasonable mixing is defined in Section 2 in order to provide greater clarity and certainty to resource users.

### **Rule 22: Discharge of contaminants from on-site domestic wastewater treatment systems**

Rule 22 provides for the large number of on-site domestic wastewater discharges that have no or only minor adverse effects on the environment. In accordance with Rule 22, the owner of the on-site domestic wastewater treatment system is not required to obtain a resource consent from the Taranaki Regional Council so long as the activity can comply with the conditions of the rule. The Taranaki Regional Council is satisfied that on-site domestic wastewater treatment systems that comply with the conditions of this rule will generally avoid contamination of soils, groundwater and waterways.

The conditions of Rule 22 primarily relate to the siting and proper operation of on-site domestic wastewater treatment systems. The first and second conditions preclude discharges being permitted if surface ponding, runoff or direct discharge of any contaminants to surface water occurs. The third and fourth conditions set the distance for a system to be sited from surface water and groundwater in order to avoid contaminants discharging into water and affecting water quality.

The final condition precludes discharges being permitted if that discharge is noxious, offensive or objectionable to such an extent that it has or is likely to have a significant adverse effect on the environment. In such circumstances, the system is quite clearly not operating effectively and measures must be undertaken to address any problems before the discharge can once again qualify as a permitted activity. The Taranaki Regional Council considers that if the wastewater treatment system is designed, constructed, operated and maintained in accordance with the New Zealand manual of alternative wastewater treatment and disposal systems, referred to in the note at the foot of the rule table, then that system will meet the conditions of Rule 22. This advisory note is included to promote integrated management with the functions of territorial authorities under the Building Act 1991 when granting building consent for on-site domestic wastewater treatment systems.

### **Rule 23: Discharge of stormwater**

Rule 23 provides for the large number of stormwater discharges that have no or only minor adverse effects on the environment. A resource consent is not required for stormwater discharges to either land or water so long as the discharge can comply with the conditions of this rule. The first condition restricts discharges from industrial or trade premises that are over 0.5 hectares in area, unless the site has a means of ensuring that stormwater will not be contaminated [a roofed site is a good example of this]. The reference to the 'active area' of the site refers to that part of the site where industrial

and trade activity is taking place, including areas on site where goods, products, hazardous substances or other materials are stored, used or potentially spilt, but does not include areas that are grassed; landscaped; or roofed; or carparks which are used exclusively for non-goods vehicles.

Any sites storing and/or using hazardous substances must either ensure that the stormwater cannot be contaminated [for example if the site is roofed] or that an interceptor system is designed and managed so that contaminated stormwater is diverted to trade waste or captured and contained and/or treated so that the contamination is removed and reduced. In this regard the bunding of hazardous substances and the capture and treatment of stormwater would enable the discharge of stormwater from sites under 0.5 hectares to be a permitted activity. The condition also requires that a contingency Plan be maintained and regularly updated for the site.

The third condition restricts the discharge of stormwater from any industrial or trade premises where the movement of rock and other earth material is taking place, other than the types of minor works outlined in the condition. This is consistent with other rules in the Plan relating to stormwater discharges from soil disturbance activities.

Rule 23 also contains conditions relating to the receiving environment to ensure that adverse effects are avoided, remedied or mitigated. Conditions relate to both water quality [by specifying discharge limits and receiving water effects] and the quantity of water that is being discharged [to avoid erosion, scour or deposition].

### **Rule 24: Discharge of stormwater**

Rule 24 addresses those stormwater discharges that cannot comply with the conditions of Rule 23. Discharges which cannot meet the conditions of Rule 23 have the potential to have significant adverse effects on the receiving environment and it is appropriate to require a resource consent before the activity can be undertaken. A stormwater management Plan will address the effects on the environment as a result of the activity and ensure that they are avoided, remedied or mitigated. The matters over which the Council has reserved its control will enable further consent conditions to be imposed to address any effects of the discharge on the receiving environment.

### **Rule 25: discharges of stormwater and sediment from soil disturbance activities of 1ha or less**

Rule 25 provides for discharges of stormwater and sediment that arise from soil disturbance activities of 1 hectare or less as permitted activities provided that the stated conditions can be met. The conditions all relate to the effects that the discharge will have on water quality, and have been designed to ensure that any effects are avoided, remedied or mitigated.

**Rule 26: discharges of stormwater and sediment from soil disturbance activities between 1 and 8ha**

Rule 26 recognises that discharges of stormwater and sediment from soil disturbance activities that are larger than those provided for in Rule 25 have the potential to have greater adverse effects on water quality. For this reason conditions have been included in the rule to limit the times of the year when the discharge may take place, and to control discharges in defined urban catchments. The conditions contained in Rule 26 relate to the effects that the discharge will have on water quality, and have been designed to ensure that any effects are avoided, remedied or mitigated.

**Rule 27: Discharges of stormwater and sediment from soil disturbance activities that do not come within or comply with Rules 25 or 26**

Discharges of stormwater and sediment from soil disturbance activities that do not come within or comply with Rules 25 or 26 will have sufficient potential adverse effects on the environment that it is appropriate to require a resource consent. The site erosion and sediment control management plan will address these effects and ensure that they are avoided, remedied or mitigated.

**Rule 28: Discharge of leachate from closed landfills**

The discharge of leachate from closed landfills is a permitted activity provided that the stated conditions can be met. Due to past management practices, discharges of leachate from closed landfills have the potential for adverse effects on the environment. However, if the discharge can meet the conditions set out in the rule, the adverse effects will be minor and are therefore permitted by this rule. If the adverse effects are more than minor, Rule 43 will apply.

**Rule 29: Discharge of contaminants from industrial and trade premises onto or into land**

There are a number of small industrial and trade premises throughout the region that discharge contaminants to land. Under section 15(1)(d) of the Act these discharges are prohibited unless they are allowed by a rule in a regional plan or a resource consent. Many of these discharges have only minor effects on the environment, and therefore it is appropriate that, subject to conditions, the discharge be allowed. The stated conditions seek to ensure that no contaminants enter surface water, or interfere with potable water supplies. The final condition is included to ensure that the discharge does not have any significant adverse effects on the land to which it is discharged.

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 introduced standards for electricity transmission activities that prevail over plan rules. Accordingly Rule 29 does not apply to activities relating to existing transmission lines as specified in regulation 4 of the National Environmental Standards for Electricity Transmission Activities and as covered by that National Environmental Standard. Appendix X contains the rules for the discharge of contaminants to water that will apply to Electricity Transmission Activities regulated by the National Environmental Standards for Electricity Transmission Activities.

**Rule 30: Discharge of on-farm waste materials**

This rule applies to offal pits, leachate from silage pits and feedlots, and waste disposal sites on farms. Provided that they are suitably sited and do not pose a threat to either human or animal health, these sites will have minimal impact and should be provided for as permitted activities.

**Rule 31: Discharge of fertiliser**

The discharge of fertiliser to land is likely to have only minor effects and the conditions proposed should control these effects. The third and fourth conditions are intended to avoid the direct discharge of fertiliser to water, and in situations where this is impractical, to make certain that effort is made to ensure that the effects of the discharge are remedied or mitigated.

**Rule 32: Discharge of aquatic herbicides**

The use of aquatic herbicides has the potential to adversely affect both water bodies and downstream water users and for this reason the stated conditions have been imposed. If the conditions are complied with the adverse effect should be minor and therefore the activity has been classified as permitted. Appendix VI of the Plan contains guidelines that provide information on the best practicable option for the application of aquatic herbicides.

### **Rule 33: Discharge of agrichemicals by land-based application methods**

This rule relates to the numerous discharges of agrichemicals which occur throughout the region in residential and rural areas. The conditions have been set in such a way that minor activities will be permitted (as they will not have adverse effects) and more major activities will require a consent. Appendix VI of the Plan contains guidelines that provide information on good agrichemical spray management practises.

### **Rule 34: Discharge of agrichemicals by aerial application methods**

Rule 34 permits the discharge of agrichemicals by aerial application methods, provided that the stated conditions are met. The aerial spray application of agrichemicals is excluded from this rule as it is addressed in the Regional Air Quality Plan for Taranaki (1997). The stated conditions have been adopted in order to avoid, remedy or mitigate adverse effects on the environment. Appendix VI of the Plan contains guidelines that provide information on good agrichemical spray management practises.

### **Rule 35: Discharge of farm dairy effluent onto or into land**

Rule 35 relates to the discharge of farm dairy effluent to land, which is a controlled activity. Farm dairy effluent has value as a fertiliser and therefore the discharge to land should be encouraged. The matters over which the Taranaki Regional Council has reserved its control are necessary to ensure that there are no adverse effects on the environment. Guidelines for best management practices can be found in Appendix VIIA.

### **Rule 36: Discharge of treated farm dairy effluent to water**

Rule 36 relates to the discharge of treated farm dairy effluent to water where a dilution rate of 1:100 can be maintained at all times. This dilution rate is to be measured at the point of discharge. Limits have been set for unionised ammonia (expressed as nitrogen) and BOD. These limits have been shown to result in no adverse effects on the environment. The Taranaki Regional Council has reserved its control over a number of

matters, including the design and operation of the treatment system, and the definition and delineation of a mixing zone, in order to ensure that adverse effects on the environment are avoided, remedied or mitigated. Guidelines for best management practices can be found in Appendix VIIB.

### **Rule 37: Discharge of piggery or poultry effluent or poultry washdown water**

The discharge of piggery or poultry effluent or poultry washdown water onto or into land is a controlled activity due to the high ammonia content of the effluent and the potential for the discharge to result in adverse effects on local water bodies. This approach maintains consistency with the rules for farm dairy effluent. Both piggery and poultry effluent have value as a fertiliser and therefore the discharge to land should be encouraged. If this option was not available, it is likely that there would be greater environmental effects from inappropriate disposal. Appendix VIIC and Appendix VIID contain guidelines for best management practices.

### **Rule 38: Discharge of treated poultry washdown water to surface water**

The discharge of treated poultry washdown water to surface water is a controlled activity. A dilution rate of 1:100 is to be maintained at all times. This dilution rate is to be measured at the point of discharge. Limits have been set for unionised ammonia (expressed as nitrogen), BOD, and suspended solids. The Taranaki Regional Council has reserved its control over a number of matters, including the design and operation of the treatment system, and the definition and delineation of a mixing zone, in order to ensure that adverse effects on the environment are avoided, remedied or mitigated. This approach also maintains consistency with the rules for farm dairy effluent. Appendix VIIC and Appendix VIID contain guidelines for best management practises.

### **Rule 39: Discharge of treated farm dairy, piggery and poultry effluent to surface water**

Where a discharge of farm dairy effluent cannot maintain a dilution rate of 1:100 in the receiving water, or where piggery or poultry effluent is to be discharged to water, the Taranaki Regional Council reserves the discretion to refuse to grant consent for the operation. These types of operations are more likely to have significant adverse effects on the environment.

**Rule 40: Discharge of untreated farm dairy, piggery or poultry effluent to surface water**

The discharge of untreated farm dairy, piggery or poultry effluent to surface water is a prohibited activity due to the unacceptable adverse environmental effects of this type of discharge. Untreated effluent from farm dairies, piggeries or poultry operations has very high levels of nutrients and bacteria and can therefore have significant adverse effects on water quality. It is not acceptable to use a river or stream as a treatment system for waste.

**Rule 41: Discharge of hydrocarbon exploration wastes to surface water**

The discharge of surplus drill water and production water to surface water is a controlled activity due to the minor potential for adverse effects on the receiving water if the conditions are complied with. These conditions have been developed from resource consents issued to the hydrocarbon exploration industry over the past decade. The extent of the mixing zone will be determined by the Taranaki Regional Council on a case-by-case basis.

**Rule 42: Discharge of hydrocarbon exploration wastes to land**

Drilling muds, cuttings and wastes are disposed of to land during exploration and production activities. They have the potential for adverse effects on the environment which can be controlled by the imposition of appropriate conditions. The third condition relates to the contaminants that are found in drilling wastes, and sets an appropriate limit derived from consent conditions that have proven to be effective over the last decade. Other conditions relate to ensuring that there is no adverse effect on water in the vicinity of the discharge.

**Rule 43: Discharge of contaminants or water to surface water that does not comply with Rules 21-42**

Discharges of contaminants or water into surface water that cannot comply with Rules 21-42 have the potential for adverse effects on the environment and should be treated as discretionary activities.

**Rule 44: Discharge of contaminants onto or into land that does not comply with section 15(1)(b) or section 15(1)(d) of the Act, or with Rules 21-42**

Discharges of contaminants onto or into land that cannot comply with the specified sections of the Act, or that are covered by Rules 21-42 but cannot comply with the stated conditions, have the potential for adverse effects on the environment and should be treated as discretionary activities.

**Rule 45: Discharge of untreated municipal sewage to water**

The discharge of untreated municipal sewage to water is a prohibited activity due to the unacceptable adverse environmental effects of this type of discharge. Discharge of untreated sewage is culturally offensive to a lot of people. It is not acceptable to use a river or stream as a treatment system for this type of waste.

**7.4.4 Groundwater**

**Rule 46: Drilling and/or construction of a well, bore, piezometer or seismic survey into and under land**

The drilling and/or construction of a well, bore, piezometer or seismic survey is a permitted activity provided that the potential for the bore to cause water contamination is avoided by the use of casing and sealing as appropriate. Bore completion logs must be submitted to the Taranaki Regional Council within four weeks of any bore for water supply purposes or piezometer being completed. Bore completion logs are not required for wells or seismic surveys. Bores or wells must be located at least 50 metres from any potential contaminant source to avoid the potential of drawing contaminated groundwater. Seismic surveys must be located at least 100 metres from any bore, well or spring used for water supply purposes in order to avoid the potential contamination of the water supply.

**Rule 47: Drilling and/or construction of a well, bore, piezometer or seismic survey that does not meet the conditions of Rule 46**

Where the drilling and/or construction of a well, bore, piezometer or seismic survey cannot meet the conditions of Rule 46, there are likely to be more than minor adverse effects on the environment, and it is appropriate that the activity be made discretionary.

**Rule 48: Taking and use of water from a well or bore**

The daily volume of water that may be taken without a resource consent is set at 50m<sup>3</sup> and at a rate not exceeding 1.5l/s. The effects, individual and cumulative, are considered minor at these rates and the volume is sufficient to meet reasonable farm use.

A bore used for water supply purposes shall be located at least 500 metres from the sea or adjacent bores. At the highest transmissivity observed from pump tests of any confined aquifer in Taranaki, the drawdown of the aquifer at 500 metres distance from the bore is negligible at a maximum rate of 1.5l/s for 24 hours. The drawdown cone of influence is such that saltwater intrusion and bore interference are both unlikely, if this distance is maintained.

A well shall be located at least 25 metres from the sea, adjacent bores or surface water bodies. An abstraction at the rate and volume specified, has minor adverse effects and is not likely to cause saltwater intrusion, well or bore interference or a reduction of water levels in an adjacent surface water body under these conditions.

The well or bore shall be located not less than 50 metres from potential sources of contaminants, in order to avoid contamination of the water. This distance is consistent with the distances contained in the rules relating to point-source discharges of contaminants to land or water.

**Rule 49: Taking and use of water from a bore or well which does not meet the conditions of Rule 48**

The taking of water at a daily volume or rate which exceeds the limits in Rule 49, is a controlled activity provided that there is no saltwater intrusion and only minor interference with adjacent bores. The Taranaki Regional Council considers that a 10% reduction in water-level by bore interference is acceptable.

**Rule 50: Taking and use of water from a well or bore which does not meet the standards and terms of Rule 49**

Where the taking and use of groundwater cannot meet the standards and terms of Rule 49, the adverse effects on the environment are likely to be more than minor, and it is therefore appropriate that the Taranaki Regional Council have the discretion to refuse the consent.

**Rule 51: Discharge of contaminants to water by deepwell injection**

The Taranaki Regional Council will continue to exercise discretion over the discharge of contaminants, normally produced waters and waste drilling fluids, to ensure that there is a negligible risk of contamination of groundwater resources which may be used for consumptive purposes.

#### 7.4.5 Uses of river and lake beds

**Rule 52: Use of existing structures**

The use of structures that are not specifically provided for by other rules in the Plan is a permitted activity, provided that the structure was lawfully established and in use at the time of notification of the Plan. The stated conditions with respect to the effects that the use of the structure may have on the environment must also be met. This rule is consistent with the existing use philosophy of the Act.

**Rule 53: Maintenance, repair, alteration, reconstruction or minor upgrading of a structure**

This rule allows activities to do with the maintenance of structures that would otherwise be restricted by the Act. The stated conditions relate to the adverse effects that could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act. As long as the conditions are met there will be no adverse effects on the environment.

**Rule 54: Maintenance, repair, alteration, reconstruction or minor upgrading of an existing structure that does not meet the conditions of Rule 53**

This rule controls those activities that do not meet the conditions of Rule 53, and are therefore more likely to have an adverse effect. The matters listed over which the Taranaki Regional Council has retained control will allow conditions to be set on resource consents that avoid, remedy or mitigate adverse effects. The policies listed will aid in the setting of conditions on the resource consent.

**Rule 55: Removal, demolition or decommissioning of a structure**

Rule 55 allows for the removal, demolition or decommissioning of a structure provided that the stated conditions can be met. The conditions relate to the adverse effects that

could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act. The condition relating to the timing of the works has been included to allow for the spawning periods of trout and other native fish species. The conditions have been set to avoid, remedy or mitigate adverse effects, and allow an activity that would otherwise be restricted by the Act.

**Rule 56: Removal, demolition or decommissioning of a structure that does not meet the conditions of Rule 55**

Removal, demolition or decommissioning of a structure that does not meet the conditions of Rule 55 is covered by Rule 56. The activity has been classified as controlled due to the potential adverse effects. The matters listed over which the Taranaki Regional Council has retained control will allow conditions to be set on resource consents that avoid, remedy or mitigate adverse effects. The policies listed will aid in the setting of conditions on resource consents.

**Rule 57: Construction, placement and use of a culvert, ford or bridge**

This rule covers the construction, placement and use of access structures such as culverts, fords and bridges. Placement and use of these structures is restricted by the Act, and it is appropriate that, if the effects on the environment are minor, the activity should be permitted. The stated conditions have been set to ensure that there are no significant adverse effects on the environment. The conditions relate to the adverse effects that could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act. The condition relating to the timing of the works has been included to allow for the spawning periods of trout and other native fish species.

**Rule 58: Construction, placement and use of culverts within defined urban catchments**

Rule 58 recognises the significant adverse effects that inappropriately designed and constructed culverts can have in urban areas, and requires the obtaining of resource consents for these activities. The standards, terms and conditions, in combination with the matters over which the Taranaki Regional Council has reserved its control, will ensure that adverse effects are avoided, remedied or mitigated. Defined urban catchments to which this rule applies are contained in Appendix IX.

**Rule 59: Construction, placement and use of a dam, weir, bed level control or silt retention structure**

Rule 59 permits the construction, placement and use of barrier structures, provided that the stated conditions are met. The conditions set will allow small structures with minimal effects to be constructed, while ensuring that the adverse effects on the environment are no more than minor. The conditions relate to the adverse effects that could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act. The condition relating to the timing of the works has been included to allow for the spawning periods of trout and other native fish species.

**Rule 60: Construction, placement and use of structures for the purpose of river and flood control**

This rule covers the construction, placement and use of minor structures for the purpose of flood and erosion control, that will have no significant adverse effects on the environment. The stated conditions will ensure that any minor adverse effects are avoided, remedied or mitigated. The conditions relate to the adverse effects that could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act.

**Rule 61: Construction, placement and use of other structures**

Rule 61 sets out the conditions under which the construction, placement and use of structures that are not covered by the preceding rules in the Plan may take place. There are a large variety of structures within the region and it is more administratively efficient to cover all of these structures in one rule rather than a number of rules. The conditions that have been imposed under Rule 61 of the Plan are designed to ensure that there are no significant adverse effects on the environment from the construction, placement or use of the structure. The conditions relate to the adverse effects that could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act. The condition relating to structures for the conveyance of stormwater provides a size limit for the structures, in order to ensure that the structures and the discharges from them do not have significant adverse effects on the environment. The condition relating to the timing of

the works has been included to allow for the spawning periods of trout and other native fish species.

**Rule 62: Construction, placement and use of structures for the purpose of river and flood control that does not meet the conditions of Rule 60**

This rule classifies those structures that do not meet the conditions of Rule 60 as controlled activities. If the construction, placement and use of structures for the purpose of flood and erosion control does not meet the conditions of Rule 60, the adverse effects on the environment are likely to be more than minor, and it is thus appropriate that the Taranaki Regional Council retain control over the activity.

**Rule 63: Construction, placement and use of stormwater structures within defined urban catchments that do not meet the conditions of Rule 61**

Stormwater structures in defined urban catchments that do not meet the conditions of Rule 61 are a controlled activity, provided that the stated conditions can be met. The classification of this activity as controlled recognises the expertise of the organisations that are likely to be undertaking this type of work. Maps of the defined urban catchments can be found in Appendix IX. The structure must be no more than 900mm in diameter, to ensure that adverse effects on the environment can be avoided, remedied or mitigated. The conditions relate to the adverse effects that could potentially arise from the activity, and cover the components of the activity (such as disturbance of the bed) that are restricted under section 13 of the Act.

**Rule 64: Construction, placement and use of any structure that does not meet the standards, terms and conditions of Rules 52-63**

The construction, placement and use of any structure that does not meet the standards, terms and conditions of Rules 52-63 will have more than minor adverse effects on the environment, and it is therefore classified as a discretionary activity. The policies listed will aid the Taranaki Regional Council in setting conditions on the resource consent.

**Rule 65: Removal of vegetation**

The removal of vegetation for the purposes of avoiding or mitigating the adverse effects of flooding or erosion is a permitted activity, provided that the stated conditions are met. These types of activities have only minor effects on the environment and the positive benefits of the work outweigh any other effects.

**Rule 66: Trimming or clearance of vegetation in association with the safe and efficient operation of bridges, pipelines, cableways, and transmission and telecommunication lines**

The trimming or clearance of vegetation associated with the safe and efficient operation of bridges, pipelines and transmission lines is a permitted activity provided that the stated conditions are met. These types of activities have only minor effects on the environment and it is therefore appropriate that they are permitted.

**Rule 67: Removal of vegetation from the bed of human-made lakes**

Rule 67 provides for the removal of vegetation from the bed of human-made lakes as a controlled activity. The rule allows the activity to proceed provided the standards listed in the rule can be met. The matters over which the Taranaki Regional Council has reserved its control are necessary to ensure that there are no significant adverse effects on the environment.

**Rule 68: Planting, introduction or removal of vegetation that is not provided for or does not meet the conditions of Rules 65-67**

Planting and introduction of plants, or the removal of vegetation that does not meet the conditions of Rules 65-67 is likely to have more than minor effects on the environment, and is therefore classified as a discretionary activity. The policies listed will aid the Taranaki Regional Council in setting conditions on the resource consent.

**Rule 69: Clearance and removal of debris**

Clearance and removal of debris can fulfil a useful function in river and flood control, by removing obstructions from flow courses. As long as the stated conditions are met there will be only minor effects on the environment and the activity can be permitted.

**Rule 70: Extraction of sand or gravel for domestic or on-farm purposes**

Extraction of sand or gravel is restricted under the Act. If the conditions of the rule can be met, the small quantities of gravel and sand extracted for domestic and on-farm purposes will have only minor effects, and it is appropriate that the activity be permitted.

**Rule 71: Extraction of sand, gravel, aggregate or rocks or bed recontouring for river and flood control purposes**

Extraction of material or bed recontouring for river and flood control purposes is a permitted activity, provided that the activity is carried out by or on behalf of the Taranaki Regional Council. The standards stipulated must be met to ensure that adverse effects are avoided, remedied or mitigated.

**Rule 72: Extraction of sand, gravel, aggregate or rocks that is not provided for**

Rule 72 covers the extraction of bed material from the bed of a lake that is not provided for or cannot meet the conditions of Rule 71, and also covers the extraction of bed material from a river that does not meet the conditions of Rules 70 and 71. These activities have been classified as discretionary due to their potential for significant adverse effects on the environment. The policies listed will aid the Taranaki Regional Council in setting conditions on resource consents.

**Rule 73: Extraction of sand, gravel, aggregate or rocks for purposes other than those in Rules 70 and 71**

Because of past practices and current Taranaki Regional Council Policy, extraction of material from river beds, other than for the purposes outlined in Rules 70 and 71, is prohibited. Historically, gravel extraction from Taranaki river beds has caused significant bed degradation. The Taranaki Regional Council considers that gravel extraction directly from river beds causes unacceptable adverse effects on water quality, aquatic life and channel morphology. There are frequently adequate sources of material outside river beds.

**Rule 74: Realignment or modification of a stream or river**

The realignment or modification of a stream or river covered by Rule 74 relates to small areas of land and minor realignments. As long as the stated conditions are met there will only be minor adverse effects.

**Rule 75: Disturbance of the beds of human-made lakes by dredging**

Rule 75 provides for the disturbance of human-made lake beds by dredging as a controlled activity. Since Rule 75 is likely to have more than minor effects on the environment, the conditions set by the Taranaki Regional Council must be adhered to so that any actual or potential effect on the environment arising from any disturbance activities will be prevented or minimised.

**Rule 76: Other section 13 activities**

Rule 76 covers those other activities that are less frequent in Taranaki but are restricted by section 13 of the Act. These activities have the potential to have adverse effects on the environment, and because of their infrequent occurrence there is little known about the scale of these effects. It is therefore appropriate that they be made discretionary activities.

**7.4.6 Land Drainage**

**Rule 77: Diversion of water for the purpose of land drainage**

Land drainage is a common activity within Taranaki. When the area to be drained is small, and the amount of water to be diverted is not great, then the effects on the environment will be minor and the activity should be permitted. The stated conditions are written to ensure that any adverse effects are avoided, remedied or mitigated. This rule excludes the diversion of water from wetlands listed in Appendix II, which is covered under Rules 80 to 87. The conditions of Rule 77 require that no wetland over 5 hectares in area, or any wetland listed in Appendix III is to be drained. The drainage of these wetlands is covered under Rule 79.

**Rule 78: Construction, use and maintenance of drainage channels**

Where drainage channels are associated with drainage activities permitted under Rule 77, the effects on the environment will be of a similar scale to those in Rule 77, and the activity should be permitted.

**Rule 79: Other land drainage activities**

Land drainage activities that are not provided for in Rules 77-78 or cannot meet the conditions of these rules are discretionary activities due to the increased potential for adverse effects on the environment from these activities.

**7.4.7 Wetlands**

**Rule 80: Diversion of water from a regionally significant wetland listed in Appendix IIB**

Wetlands perform important functions within fresh water ecosystems. There are few regionally significant unprotected wetlands left within the Taranaki region, and therefore the diversion of water from these wetlands is a discretionary activity.

**Rule 81: Drainage or reclamation of a regionally significant wetland listed in Appendix IIB**

There are few regionally significant unprotected wetlands left within the Taranaki region, and therefore drainage and reclamation of these wetlands is a discretionary activity.

**Rule 82: Planting, introduction or removal of vegetation from regionally significant wetlands listed in Appendix IIB**

There are few regionally significant unprotected wetlands left within the Taranaki region, and therefore planting, introduction or removal of vegetation from these wetlands is a discretionary activity.

**Rule 83: Discharge of contaminants or water into a regionally significant wetland listed in Appendix IIB**

There are few regionally significant unprotected wetlands left within the Taranaki region, and therefore the discharge of contaminants or water into these wetlands is a discretionary activity.

**Rule 84: Diversion of water from a regionally significant wetland listed in Appendix IIA**

The regionally significant wetlands listed in Appendix IIA are those that are protected under mechanisms such as the National Parks Act 1980, the Reserves Act 1977, the Conservation Act 1987, or the Queen Elizabeth the Second National Trust Act 1977. In order to be consistent with this protection, the diversion of water from these wetlands is prohibited.

**Rule 85: Drainage or reclamation of regionally significant wetlands listed in Appendix IIA**

The regionally significant wetlands listed in Appendix IIA are those that are protected under mechanisms such as the National Parks Act 1980, the Reserves Act 1977, the Conservation Act 1987, or the Queen Elizabeth the Second National Trust Act 1977. In

order to be consistent with this protection, the drainage or reclamation of these wetlands is prohibited.

**Rule 86: Planting, introduction or removal of vegetation from regionally significant wetlands listed in Appendix IIA**

The regionally significant wetlands listed in Appendix IIA are those that are protected under mechanisms such as the National Parks Act 1980, the Reserves Act 1977, the Conservation Act 1987, or the Queen Elizabeth the Second National Trust Act 1977. In order to be consistent with this protection, the planting, introduction or removal of vegetation from these wetlands is prohibited.

**Rule 87: Discharge of contaminants or water into regionally significant wetlands listed in Appendix IIA**

The regionally significant wetlands listed in Appendix IIA are those that are protected under mechanisms such as the National Parks Act 1980, the Reserves Act 1977, the Conservation Act 1987, or the Queen Elizabeth the Second National Trust Act 1977. In order to be consistent with this protection, the discharge of contaminants or water into these wetlands is prohibited.

Part Five  
Administrative  
matters



## 8 Information to be submitted with an application for a resource consent

Section 88 of the Act requires each application for a resource consent to be in a prescribed form. Section 88 requires that an application includes:

- (a) A description of the activity for which consent is sought, and its location.
- (b) An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated.
- (c) Any information required to be included in the application by this Plan or by regulations.
- (d) A statement specifying all other resource consents that the applicant may require from any consent authority for the activity to which the application relates, and whether or not the applicant has applied for such consents.

The Taranaki Regional Council requires the information below to be included with an application for a resource consent. General information in Section 8.1 must be supplied for all applications, along with the assessment of effects in Section 8.8. Applications for activities within the Hangatahua (Stony) River catchment should supply the information for the activity as specified below.

Applicants should note that approvals may need to be obtained under other statutes. For example, structure placement requires a building consent under the Building Act 1991, aquaculture requires consents under the Fisheries Act 1983 etc. Those consents cannot be obtained under this Plan.

### 8.1 General (all activities)

- (a) Full name, postal address, home and business telephone numbers of the person or organisation to whom the consent is to be issued.
- (b) Name and telephone number of the contact person who is fully conversant with all aspects of the application.
- (c) Name, address and telephone number of consultant (if applicable).
- (d) Name and address for service of documents (if different from above).
- (e) Name and telephone number of occupier or lessee of affected site.
- (f) Location and address of affected site (as near as possible).

- (g) Territorial local authority (New Plymouth District Council, Stratford District Council, or South Taranaki District Council) responsible for the area.
- (h) A list of all other consents needed, and reference numbers of any previous consents for this application, from all consent authorities.
- (i) A list of names and addresses of property owners or occupiers likely to be directly affected by this application.
- (j) An assessment of effects on the environment in accordance with Section 8.8 below. (Section 8.8 is important; please read it carefully.)

### 8.2 Taking, use, damming and diversion of surface water

- (a) Reason for which water is to be taken, used, dammed or diverted (industry, other (specify)).
- (b) An indication of the state of completion of the project (existing, partly developed, proposed).
- (c) Quantities of water applied for:
- (d) maximum daily quantity (cubic metres per day);
- (e) total annual quantity (cubic metres per year); and
- (f) maximum abstraction rate (litres per second).

### 8.3 Discharges of contaminants

- (a) Content of discharge (name contaminants, if any).
- (b) Type of operation or industry causing discharge.
- (c) Purpose of discharge.
- (d) Maximum volume discharged daily (cubic metres per day) and maximum discharge rate (litres per second).
- (e) Number of hours per day that discharge will occur.
- (f) Full description of any seasonal or time-related variation in discharge strengths and volumes expected (if applicable).

- (g) Accurate site plan and address of discharge source, for inspection purposes.
- (h) Legal description of land (shown on rate demand) at discharge source, for inspection purposes.
- (i) Map reference of discharge point (use Infomap 260 1:50 000).
- (j) If discharge point is different from place of treatment/usage, details with supporting plans of each site.
- (k) Full description of works to be constructed, including process or department from which discharge originates, type of treatment facility and the quality of the proposed discharge (include design specifications).

## 8.4 Groundwater

For bore construction:

- (a) Description of the works proposed, including design specifications.
- (b) Map reference of site (use Infomap 260 1:50 000).
- (c) Legal description of land at site (where applicable).

For taking and use of water:

- (a) Reason for which water is to be taken or used or both (industry, other (specify)).
- (b) An indication of the state of completion of the project (existing, partly developed, proposed).
- (c) Quantities of water applied for:
- (d) maximum daily quantity (cubic metres per day);
- (e) total annual quantity (cubic metres per year); and
- (f) maximum abstraction rate (litres per second).

For deepwell injection:

- (a) Content of discharge (name contaminants, if any).
- (b) Type of operation or industry causing discharge.
- (c) Purpose of discharge.
- (d) Maximum volume discharged daily (cubic metres per day) and maximum discharge rate (litres per second).
- (e) Number of hours per day that discharge will occur.
- (f) Full description of any seasonal or time-related variation in discharge strengths and volumes expected (if applicable).

- (g) Accurate site plan and address of discharge source, for inspection purposes.
- (h) Legal description of land (shown on rate demand) at discharge source, for inspection purposes.
- (i) Map reference of discharge point (use Infomap 260 1:50 000).
- (j) If discharge point is different from place of treatment/usage, details with supporting plans of each site.
- (k) Full description of works to be constructed, including process or department from which discharge originates, type of treatment facility and the quality of the proposed discharge (include design specifications).

## 8.5 Uses of river and lake beds

- (a) Reason for which the river or lake bed is to be used (structure, planting, other (please specify)).
- (b) An indication of the state of completion of the project (existing, partly developed, proposed).
- (c) Description of the works proposed, including design specifications.
- (d) Map reference of site (use Infomap 260 1:50 000).
- (e) An accurate location and site plan, including scale, showing position of works, local named roads, north point, boundaries and other relevant features.
- (f) Legal description of land at site (where applicable).

## 8.6 Land drainage

- (a) Reason for which the land is to be drained.
- (b) An indication of the state of completion of the project (existing, partly developed, proposed).
- (c) Description of the works proposed, including design specifications.
- (d) Map reference of site (use Infomap 260 1:50 000).
- (e) An accurate location and site plan, including scale, showing position of works, local named roads, north point, boundaries and other relevant features.
- (f) Legal description of land at site (where applicable).

## 8.7 Wetlands

- (a) Reason for which the work is to be undertaken.
- (b) An indication of the state of completion of the project (existing, partly developed, proposed).
- (c) Description of the works proposed, including design specifications.
- (d) Map reference of site (use Infomap 260 1:50 000).
- (e) An accurate location and site plan, including scale, showing position of works, local named roads, north point, boundaries and other relevant features.
- (f) Legal description of land at site (where applicable).

## 8.8 Assessment of effects on the environment

An assessment of effects on the environment is to be included with every resource consent application in accordance with this section. The detail in the assessment of effects shall be **in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment**. This is important: too much detail in relation to the likely effects of the activity will waste applicant's time and money; too little detail will result in the Taranaki Regional Council requiring further information, which will lead to further expense and lost time by applicants.

For a controlled activity, the assessment of effects need only address those matters over which the Taranaki Regional Council has retained control. Those matters are specified in the relevant rules of this Plan.

Applicants should note that in considering any application for a resource consent and any submissions received, the Taranaki Regional Council is required to have regard to any objectives, policies, rules and other provisions of this Plan (section 104 (1)(d) of the Act). **Applicants should therefore take particular note of the objectives, policies and rules contained in this Plan**, in addition to the matters set out in the **Fourth Schedule to the Act**, when preparing an assessment of effects. Consideration of all resource consent applications is subject to **Part II of the Act**. Accordingly where any Part II matters are relevant they should also be addressed.

The extent to which these matters need to be addressed will depend on the nature and scale of the proposed activity. It is the responsibility of the applicant to provide sufficient information to enable the consent authority to assess the application. If the applicant is uncertain as to the amount of information required or where such information may be obtained, the Taranaki Regional Council's Consents Department staff can assist (telephone 06 765 7127).

### **Matters for inclusion in an assessment of effects on the environment**

An assessment of effects on the environment should include:

- (a) A description of the proposal.
- (b) Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity.
- (c) An assessment of the actual or potential effects on the environment of the proposed activity.
- (d) Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use.
- (e) Where the activity includes the discharge of any contaminant, a description of:
  - (i) the nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects;
  - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
  - (iii) a description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken and any response to the views of those consulted.
  - (iv) An identification of those persons interested in or affected by the proposal, the consultation undertaken and any response to the views of those consulted.
  - (v) Where the scale or significance of the activity's effects are such that monitoring is required, a description of how, if the proposal is approved, effects will be monitored and by whom.

### **Matters that should be considered when preparing an assessment of effects on the environment**

Any person preparing an assessment of effects on the environment should consider the following matters:

- (a) Any effect on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects.
- (b) Any physical effect on the locality, including any landscape and visual effects.
- (c) Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.
- (d) Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, cultural or other special value for present or future generations.
- (e) Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants.
- (f) Any risk to the neighbourhood, the wider community or the environment through natural hazards or the use of hazardous substances or hazardous installations.

## 8.9 Requirement for further information

Notwithstanding the above, the Taranaki Regional Council may at any reasonable time, require the applicant to provide further information in respect of the activity for which the application for a resource consent is made.

The following relate to the circumstances in which the powers under section 92 of the Act (ie, where further information may be required) **may** be used:

- (a) The standard application forms have not been properly completed.
- (b) The application does not adequately describe the nature or location of the proposal.
- (c) The application does not specify, or inaccurately specifies, other consents that may be needed to undertake the activity.
  - (i) In the case of any controlled activity, when the application and any accompanying information is not sufficient for the Taranaki Regional Council to be able to assess the matters in respect of which it has reserved control.
  - (ii) In the case of any discretionary or non-complying activity, the application provides insufficient information:
    - (iii) to enable the actual or potential adverse effects of the activity to be identified;
    - (iv) to explain the ways in which any adverse effects are to be mitigated;

- (v) to identify other parties who may be affected;
- (vi) to identify other parties who have been consulted and/or their views.
- (vii) There is uncertainty regarding the need or purpose of the consent.
- (viii) There are reasonable grounds to suggest that alternative locations or methods of undertaking the activity may be both feasible and would have less adverse effect on the environment than the proposed option.
- (ix) A report is required to be commissioned to fully assess the effects of the activity or to audit any information provided by the applicant.



## 9 Financial contributions

### 9.1 Introduction

Where the Taranaki Regional Council grants a resource consent under the rules in this Plan, it may impose a condition requiring that a financial contribution be made for the purposes specified in the Plan.

The term 'financial contribution' is defined in section 108(9) of the Act to mean:

*“...a contribution of:*

- (a) money; or*
- (b) land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or*
- (c) a combination of money and land.”*

Further matters relating to financial contributions are contained in section 108(10) of the Act:

*“A consent authority must not include a condition in a resource consent requiring a financial contribution unless –*

- (a) the condition is imposed in accordance with the purpose specified in the Plan (including the purpose of ensuring positive effects on the environment to offset any adverse effect); and*
- (b) the level of contribution is determined in the manner described in the Plan.”*

Financial contributions may be required for various purposes, including for the purposes of ensuring positive effects on the environment to offset any adverse effects and to mitigate adverse effects on the environment of use and development (environmental compensation).

Financial contributions will only be taken where other mechanisms will not adequately address community concerns or where circumstances of an individual case point clearly to a financial contribution as being the most appropriate option. The requirement for and amount of a financial contribution are determined during pre-hearing consultation on an application for a resource consent. Thus the use and appropriateness of financial contributions in any given circumstance is determined through consultation involving the Taranaki Regional Council, the applicant for a resource consent and any submitters to the application.

All monies collected under the financial contributions regime of the Plan are collected by the Taranaki Regional Council for use in such a manner as the Taranaki Regional Council deems fit in order to avoid, remedy or mitigate, or offset, the adverse effects on the environment of the activity that the financial contribution is levied on. When deciding how those contributions should be levied or allocated, consideration will be given to matters contained in public submissions on a resource consent application.

Clause 5 of Part I of the Second Schedule to the Act further requires the Taranaki Regional Council to specify in the Plan the circumstances when a financial contribution may be imposed, the maximum amount of the contribution that may be imposed or the formula by which the contribution may be calculated and the general purposes for which the contribution may be used.

The provisions which follow reflect the requirements of the Act and set out:

- (a) The circumstances when such contributions may be imposed.
- (b) The purposes for which such contributions may be required and used.
- (c) The manner in which the amount of the contribution will be determined.
- (d) Matters which the Taranaki Regional Council will have regard to when deciding whether to impose a financial contribution, the type or types of contribution, and the amount of any contribution.

## 9.2 Circumstances, purpose and amount

Financial contributions may be imposed on any resource consent in the circumstances and for the purposes set out below. Contributions may be in the form of money, land or a combination of the two. Contributions of money to the Taranaki Regional Council must be used for the general purpose for which such contributions are taken.

The following provisions set out circumstances and purposes for which financial contributions may be imposed and used, and the manner in which the amount of the contribution will be determined is also set out.

### 1. Maintenance or improvement of public access to and along rivers and lakes

Circumstances: Where public access to or along rivers or lakes will be limited or prevented by the activity for which consent is granted (except where access is restricted for one or more of the reasons outlined in Policy 3.2.1).

- (i) Purposes: To avoid or mitigate such effects by providing for public access to or along rivers or lakes through or around the area to which the consent applies.
- (ii) Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 9.3, but will be an amount that will be sufficient to avoid, remedy or mitigate adverse effects on public access.
- (iii) Purposes: To offset or compensate for reduction or loss of access by contributing to new or enhanced access to or along rivers or lakes within the same general locality or serving the same general community.
- (iv) Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 9.3, but will be an amount that will contribute to alternative public access to a reasonably equivalent standard and extent to that which will be lost or reduced.

### 2. Protection, maintenance, restoration or enhancement of public amenities

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse effects on public amenities.

Purposes: To mitigate or offset such effects by protecting, maintaining, restoring or enhancing public amenities including the maintenance or provision of public amenities at alternative sites.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 9.3 but will be an amount that will enhance public amenities to a reasonably equivalent level or standard to those which will be lost.

### 3. Protection, restoration or enhancement of river and lake beds

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse effects on river and lake beds.

Purposes: To mitigate or offset the adverse effects of the activity by protecting, restoring or enhancing river and lake beds, including (without limitation) maintenance and planting of vegetation, sediment replenishment, erosion protection works, and fencing, and including contribution to such measures elsewhere in the same general locality.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 9.3, and the amount will be sufficient to avoid, remedy or mitigate such effects.

### 4. Protection, maintenance or restoration of heritage values and of places, areas, or features of importance to Tangata Whenua

Circumstances: Where the activity for which consent is granted will adversely affect places, areas, buildings or features of special historical, archaeological, architectural, scientific, ecological or intrinsic value (including trees or areas of vegetation with such values) and places, areas or features of importance to Tangata Whenua for spiritual, cultural or historical reasons.

Purposes: To avoid, remedy, mitigate or offset such effects by protecting, maintaining or restoring the place, area, building or feature and/or to offset such effects by contributing to protection, maintenance or restoration of some alternative place, area, building or feature elsewhere in the same general locality.

Determination of amount: The amount of contribution will be determined by reference to matters set out in Section 9.3 but will be an amount that is reasonably required to avoid, remedy, mitigate or reasonably compensate for such effects.

### 5. General – mitigation works

Circumstances: Where the activity for which consent is granted will cause or contribute to adverse effects on the environment which will not be adequately mitigated by any of the types of contribution described elsewhere in this section.

Purposes: Works for the purpose of avoiding, remedying or mitigating the adverse effects of the activity, including protection, and/or restoration of natural or physical resources.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 9.3, and will provide for such works reasonably necessary to fully avoid, remedy or mitigate the adverse effects of the activity.

## **6. General – environmental compensation**

Circumstances: Where the activity for which consent is granted will have adverse effects which will not be adequately avoided, remedied or mitigated and those effects can be offset by positive effects elsewhere.

Purposes: To provide positive effects by way of environmental compensation by protecting, restoring and/or enhancing natural and physical resources and/or amenity values.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 9.3, and will provide for offsetting positive effects reasonably equivalent in amenity value and/or environmental value to those amenities or resources which will be lost, compromised or adversely affected.

## **9.3 Matters to be considered**

In deciding whether or not to impose financial contributions, the types of contribution and their value, the Taranaki Regional Council will have particular regard to the following matters:

- (a) The purpose of the financial contribution is to avoid, remedy, mitigate, offset or compensate the community or environment for adverse effects caused or contributed to by the activity and not otherwise avoided, remedied or mitigated by the consent holder.
- (b) Whether adverse effects are likely to occur notwithstanding any avoidance, remedy or mitigation undertaken.
- (c) The adverse effects for which a contribution is imposed cannot be avoided, remedied or mitigated directly by project design or, in the case of a discharge, adoption of the best practicable option for preventing or minimising the effects.
- (d) The adverse effects are not of such significance that to allow the activity (with or without a financial contribution) would be contrary to the purpose of the Act.
- (e) Granting a resource consent and requiring a financial contribution would be more effective in achieving the purpose of the Act (including recognition of the economic and social benefits of the activity) and the objectives and policies of this Plan than declining consent or granting a consent without a condition requiring a financial contribution.
- (f) In deciding the actual value of the financial contribution required, the Taranaki Regional Council will have particular regard to:
  - (i) the significance of the adverse effects attributable to the activity;
  - (ii) where such adverse effects are contributed to by other activities, the extent to which those adverse effects can be reasonably attributed to the activity for which consent is granted;
  - (iii) the extent to which any positive effects of the activity offset any adverse effects.
- (g) Financial contributions shall relate to the effects of the activity for which consent is granted and be in reasonable proportion to the significance of any adverse effects caused or contributed to by the activity.
- (h) Financial contributions may not be appropriate in every case, even where there are adverse effects.
- (i) The actual amount of particular contributions will vary depending on the circumstances and the application of the guidelines and criteria outlined above.
- (j) The Taranaki Regional Council does not intend that adverse environmental effects must be fully mitigated or fully compensated in every case by way of financial contributions.
- (k) Any financial contribution required shall be reasonable, consistent with the purpose of the Act and reasonably relate to effects of the activity for which consent has been granted.

## 10 Administrative procedures

### 10.1 Introduction

The Act requires that regional plans state:

- (a) The processes to be used to deal with issues which cross local authority boundaries and issues between territorial authorities and between regions (section 67(1)(h)).
- (b) The procedures to be used to monitor the effectiveness of the Plan as a means of achieving its objectives and Policies (section 67(1)(i)).
- (c) The procedures to be used to review the issues, objectives, policies, methods, environmental results anticipated and other matters contained in the Plan (section 67(1)(i)).

These matters are covered in this section of the Plan. The first matter, that of processes to deal with issues which cross local authority boundaries and issues between territorial authorities, is part of the broader issue of achieving integrated management of fresh water.

### 10.2 Integrated management and cross-boundary issues

Integrated management involves a consideration of:

- (a) The effects of the use of one natural resource on other natural and physical resources or on other parts of the environment recognising that such effects may occur across space and time.
- (b) The functions of other agencies in respect of fresh water management or resource management which could affect fresh water.
- (c) The social and economic objectives and interests of the community, recognising that natural and physical resources cannot be managed without having regard to social, economic and cultural factors.

Cross-boundary issues may occur when environmental effects of one resource use are felt in another part of the environment (for example water quality affected as a result of

the discharge of contaminants to land). Integrated management aims to minimise the effects of cross-boundary issues and promote complementary, efficient and effective management of all natural and physical resources.

Cross-boundary issues may also arise when Tangata Whenua are expected to express their interests in fresh water management to a number of different agencies with management functions, ie, Department of Conservation, regional councils and district councils. This can result in consultation duplication and inefficiencies, and place unnecessary demands on Tangata Whenua.

#### **Management roles and responsibilities**

Integrated management will assist the Taranaki Regional Council to co-ordinate the management of fresh water and the effects of activities with:

- (a) Adjoining Regional Councils and territorial authorities within the Taranaki region concerning the Taranaki Regional Council's responsibilities under the Act for the control of activities relating to fresh water.
- (b) Territorial authorities concerning their responsibilities under the Act for the control of the effects of the use of land and the functions and responsibilities of territorial authorities and public health authorities under other Acts.
- (c) The Department of Conservation (responsible for the conservation of natural resources and aspects of natural resources management).
- (d) Fish and Game New Zealand-Taranaki region (responsible for managing, maintaining and enhancing the sports fish and game resource).
- (e) The Medical Officer of Health at Taranaki Health (responsible for the public health effects of water quality issues).
- (f) The functions of the Council under other legislation.

Territorial authorities have a significant role to play in the integrated management of activities relating to fresh water and river and lake beds, particularly in relation to the issues of protection and enhancement of the natural, ecological and amenity values of fresh water, maintenance and enhancement of public access, the effects of point and diffuse source discharges, uses of river and lake beds and wetlands. Territorial

authorities can have a significant impact on these issues through their district plans and resource consents. Both district plans and resource consents relating to land uses are important mechanisms for avoiding, remedying and mitigating adverse effects on fresh water and river and lake beds. Through the policies and methods contained in the Plan, the Taranaki Regional Council recognises the role that territorial authorities can play, and the importance of integrated management.

## Procedures

The Taranaki Regional Council will use the following procedures in relation to integrated management and cross-boundary issues:

- (a) **Having regard** under section 66 of the Act to the **policy statements and plans** (including resource management plans, strategic plans and annual plans) of territorial authorities and neighbouring regional councils and the extent to which this Plan needs to be consistent with those documents.
- (b) **Liaising**, as appropriate with the **Waikato Regional Council** and the **Manawatu-Wanganui Regional Council** on matters of fresh water management that are relevant to more than one region.
- (c) Liaising, as appropriate, with the New Plymouth District Council, Stratford District Council and South Taranaki District Council on cross-boundary issues affecting fresh water management.
- (d) **Liaising**, as appropriate, with the **Department of Conservation** in relation to matters of **natural resource** conservation.
- (e) **Having regard** to other plans and strategies prepared by the Council, neighbouring regional councils, and territorial authorities under other legislation (for example, the Biosecurity Act 1993).
- (f) **Liaising**, as appropriate, with the **Medical Officer of Health at Taranaki Health** in relation to public health matters arising from issues of water quality and the discharge of contaminants.
- (g) **Considering** the **transfer of functions** which would be more efficiently, effectively and appropriately carried out by other agencies. Transfers of functions will be considered on the basis of the requirements of section 33 of the Act including where both authorities agree that the authority to which the transfer is made represents the appropriate community of interest, and where the transfer is

desirable on the grounds of efficiency and technical or special capability or expertise.

- (h) **Advocating** to the New Plymouth District Council, Stratford District Council and South Taranaki District Council that, where appropriate, provisions be included in **district plans** to avoid, remedy or mitigate the effects on the environment of land uses that may affect fresh water.
- (i) **Preparing other regional plans** that are complementary to and consistent with the Regional Fresh Water Plan.
- (j) **Considering** the effects on other natural and physical resources in making decisions with respect to fresh water management and resource consents for activities in fresh water.
- (k) Exercising the following functions and powers under the Act:
  - (i) notification of resource consent applications or requiring approval for non-notification from other affected management agencies under sections 93 and 94;
  - (ii) making submissions on resource consent applications made to other consent authorities;
  - (iii) involving other management agencies in pre-hearing meetings under section 99;
  - (iv) holding joint hearings with New Plymouth District Council, Stratford District Council, or South Taranaki District Council when appropriate under section 102;
  - (v) co-ordinating consultation between Tangata Whenua and the Department of Conservation, New Plymouth District Council, Stratford District Council, and South Taranaki District Council to minimise consultation demands on Tangata Whenua.
- (l) **Making submissions** in respect of documents prepared by other authorities.

## 10.3 Monitoring

The Taranaki Regional Council is required by section 35 of the Act to undertake monitoring and keep records. The Taranaki Regional Council must monitor:

- (a) The state of the regional environment (to the extent necessary to carry out the Taranaki Regional Council's functions under the Act).
- (b) The suitability and effectiveness of the Plan.
- (c) The exercise of any delegated or transferred functions, powers or duties.

(d) The exercise of resource consents.

The Taranaki Regional Council must take any action that is appropriate in the circumstances.

## Procedures

The monitoring of the effectiveness of the Plan will be carried out in conjunction with monitoring of the Regional Policy Statement for Taranaki and other regional plans. The following methods will be used to monitor fresh water and the effectiveness of the Plan.

- (a) **Use of** the State of the Environment monitoring programme.
- (b) **Continuation of the fresh water monitoring programme**, including physicochemical, biological and bathing water quality programmes.
- (c) **Continuation of the groundwater monitoring programme**, including quality, nitrate and water level monitoring.
- (d) **Continue** to monitor the effects and successes of the **riparian management strategy** by:
  - (i) monitoring the overall effectiveness of the strategy in terms of the extent of riparian planting and management occurring;
  - (ii) monitoring the effectiveness of education/advocacy activities; and
  - (iii) monitoring the effectiveness of riparian management in terms of improving water quality and instream habitat.
- (e) **Preparation of an annual summary** of regional surface water abstraction volumes.
- (f) Maintenance of regional hydrological monitoring.
- (g) **Preparation of a summary** every five years of fresh water use and availability.
- (h) **Maintenance** of the register of dams, weirs and fish passage.
- (i) **Compliance monitoring** carried out in relation to individual resource consents. Where appropriate to the nature and scale of effect of an activity, individual consent monitoring programmes will be designed and implemented in conjunction with the consent holder.
- (j) Continuation of recording and evaluating **unauthorised discharges** to land and water, along with other unauthorised activities.
- (k) Undertaking **research** on fresh water issues as and when appropriate.

- (l) Use of monitoring and research programmes carried out by other agencies where appropriate.
- (m) **Use of information** (including requests and complaints) from Iwi, territorial authorities, other agencies and the public, where appropriate.
- (n) **Keep records** of the numbers of permitted activities that are reported where notification to the Taranaki Regional Council is required by rules in the Plan.
- (o) **Keeping records** of the numbers of notified and non-notified consents applied for and the number granted and declined in each category.
- (p) **Keeping records** of the numbers of consent applications made for each type of activity regulated by the Plan.

## 10.4 Review

The Act requires that the Plan be fully reviewed no later than 10 years from the date upon which it becomes operative. That review will include a review of the Plan and all changes to the Plan.

## Procedures

The following procedures will be used to review the Plan:

- (a) A **review** of the relevant parts or provisions of the Plan may be carried out in response to any changes in the **Regional Policy Statement for Taranaki**. This review will be to the extent appropriate to determine and make changes to the Plan so that it is not inconsistent with that Policy statement.
  - (b) A **review** of the relevant parts or provisions of the Plan may be carried out if a **new issue** arises, or if regional monitoring or research programmes show that a review would otherwise be appropriate.
  - (c) A **full review** (within the meaning of section 79 of the Act) will be carried out no later than 10 years after the date on which the Plan becomes operative.
- The procedures to be used to review the Plan will be determined at that time, and will include (as part of a review programme):
- (a) An assessment of the state of those matters that will be the subject of monitoring in the State of the Environment Monitoring Procedures Document, and comparison with the relevant objectives of the Plan.

- (b) Internal assessment by officers of the Taranaki Regional Council regarding the efficiency and effectiveness of policies and methods of implementation in achieving the objectives of the Plan.
- (c) Internal assessment by officers of the Taranaki Regional Council regarding the usefulness of the matters required to be included in an application for a resource consent and of administrative procedures.
- (d) Formal and informal liaison with public authorities and key interest groups regarding the effectiveness of the Plan.
- (e) Analysis and appropriate incorporation of public submissions regarding proposed changes to the Plan, or re-notification of the Plan, as required by section 79 of the Act.

Appendix I  
Natural, ecological and amenity values  
of selected rivers and streams



## Appendix IA

### Rivers and stream catchments with high natural, ecological and amenity values

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Hangatahua (Stony) River	Excellent water quality throughout whole catchment.  High clarity, low turbidity, very low nutrients.  Macroinvertebrate community health excellent (average MCI 109-130)	Large river, access for fish to National Park.  Very popular and highly valued angling river.  High native fish diversity and presence of threatened species.	Upper and middle reaches very highly rated for aesthetic and scenic values.	Median flow of 3500l/s at Mangatete Bridge. Steep gradients in upper and mid reaches with significant water movement and many rapids. Water quantity and movement contributes significantly to wild and scenic character.  39% total riparian cover, upper reaches mostly indigenous, middle reaches mixed vegetation, exotic trees and pasture, lower reaches barren or introduced grasses and weeds.
Huatoki Stream		Highly rated for recreational uses and values. Huatoki walkway.	Highly rated for scenic value. Adjacent parks and reserves.	Mixed vegetation including indigenous, in adjacent parks and reserves.
Kai Auai Stream	Excellent water quality throughout catchment.  Slight turbidity.	Moderate access for native fish.  Popular and very highly valued angling river.	Highly rated for aesthetic and scenic values.	Mixed vegetation, including indigenous.
Kapuni Stream	Excellent water quality in upper reaches above Opunake Rd (average MCI 135). Low turbidity.  Good in middle reaches (average MCI for middle reaches above Skeet Road 94)	Access for native fish through most of river. Presence of threatened species.  Highly valued angling river.  Highly rated for recreational uses and values.	Highly rated for aesthetic and scenic values.	Median flow of 1300l/s at SH45.  Considerable water movement in upper reaches contributes to aesthetic and scenic value.  23% total riparian cover, consisting of mixed vegetation.

<sup>57</sup> Median flow figures marked with an asterisk (\*) are estimates only

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Katikara Stream		Moderate access for native fish.  Important habitat for threatened species in upper reaches.	Highly rated for aesthetic and scenic values.	Median flow of 600l/s* at river mouth.  Steep gradient with noticeable water movement contributes to aesthetic and scenic values.
Kaupokonui Stream	Excellent to good water quality in upper reaches above Opunake Road.  Average MCI 124.	Moderate access for native fish.  Very popular and highly valued angling river.  Very highly rated for recreational uses and values (important recreational area at mouth on South Taranaki coast).		31% total riparian cover, consisting of a mono-culture of exotic trees or pasture.
Maketawa Stream	Excellent to good water quality throughout whole catchment.  High clarity, low nitrate and phosphorous.	Smaller river, good access for fish.  Highly valued angling river.  Important habitat for threatened native species.		Median flow of 1300l/s at SH3. Considerable water movement throughout the length of the stream.  59% total riparian cover, consisting of exotic trees, pasture and mixed vegetation.
Manawapou River		High recreational value for whitebaiting.		
Mangahume Stream		Important habitat for threatened native fish species.		

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Manganui River	Excellent to good water quality throughout whole catchment.  Low nutrients above SH3 and at the confluence with the Waitara River.	Moderate access for native fish. Presence of threatened species.  Important habitat for threatened native species.  Very popular and highly valued angling river.  Very highly rated for recreational uses and values (some swimming).	Very highly rated for aesthetic and scenic values.	Median flow of 840l/s at SH3. Considerable water movement downstream from Everett Park with some Grade 2 and 3 rapids. Water quantity and flows contribute significantly to aesthetic and scenic values.  53% total riparian cover, consisting of mixed vegetation and exotic trees or pasture.
Mangaone Stream in the Waiwhakaiho River catchment		Tributary of the Waiwhakaiho in the lower catchment.  Particularly high native fish diversity and presence of threatened species.		
Mangaoraka Stream		Small lowland stream with very good access.  Highly valued trout stream.  Very good access for native fish.  Supports important Waiongana Stream whitebait fishery.		Median flow 1240l/s at Corbett Road.  Low gradient, meandering stream.  54% total riparian cover.

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Mangatoki Stream		Popular and valued angling river supporting trout stocks in the Waingongoro River system.		40% total riparian cover. Dense indigenous trees and scrub in upper reaches, pasture and exotic trees in lower reaches.
Mangawhero Stream in the Kaupokonui catchment	Good water quality. Presence of iron hydroxide gives milky appearance.	Valued angling river. Access for native fish through most of river.		Meandering stream with deep ponds in middle and low reaches. 31% total riparian cover (Kaupokonui catchment figure).
Mangorei Stream	Excellent to good water quality throughout whole catchment. High clarity and low nutrients.	Important habitats for native fish. Valued angling river. Supports trout stocks in the lower Waiwhakaiho River.	Highly rated for aesthetic and scenic values.	Median flow of 1500l/s* at Burgess Park. Major tributary of the Waiwhakaiho River. Numerous pools occur. Important for maintaining water levels and flows in lower Waiwhakaiho River. 61% total riparian cover, mixed vegetation including indigenous vegetation.
Mimi River		Whitebaiting. Good diversity of native aquatic fauna including eels, whitebait, bullies and torrent fish.	Good scenic values, steep cliffs with puketea forest. High ecological values in upper reaches. Estuary considered to be an area of outstanding coastal value.	Retained native vegetation.

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Mohakatino River		<p>Good diversity of native aquatic fauna including eels, whitebait, bullies and torrent fish.</p> <p>Recreational uses (canoeing, whitebaiting).</p>	<p>High aesthetic and scenic values.</p> <p>High ecological values in upper reaches.</p> <p>Estuary considered to be an area of outstanding coastal value.</p>	Native forest in upper reaches.
Ngatoro-nui Stream		<p>Access for native fish through most of river.</p> <p>Important native fish values.</p>		43% total riparian cover, consisting of mono-culture of exotic trees or pasture.
Oakura River	<p>Excellent in upper reaches.</p> <p>Excellent to good in lower reaches.</p> <p>Very low nutrients and low turbidity.</p>	<p>Moderate access for native fish.</p> <p>Highly rated for recreational uses and values (particularly swimming and whitebaiting).</p> <p>Important habitat for threatened species in tributaries.</p>	Very highly rated for aesthetic and scenic values.	<p>Median flow of 1650l/s at Surrey Hill Road.</p> <p>Very steep gradient with noticeable water movement.</p> <p>Swift current and pool and riffle pattern.</p> <p>53% total riparian cover, consisting of mixed vegetation including some areas of indigenous vegetation.</p>
Oaonui Stream		<p>Access for native fish through most of river.</p> <p>Important native fish values.</p>		

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Okahu Stream		Smaller river, good access for native fish. Presence of threatened species.  Valued small stream trout fishery.	Highly rated for aesthetic and scenic values.	53% total riparian cover, consisting of mixed vegetation with some exotic trees and pasture.
Onaero River		Good diversity of native aquatic fauna including eels, whitebait, bullies and torrent fish and presence of threatened species.  Recreational uses (camping, picnicking, whitebaiting).	Aesthetic and scenic values.  Protected wetlands at headwaters.	Retained native vegetation in upper reaches.
Ouri Stream		High native fish diversity.		
Patea River	Excellent to good water quality in upper reaches above Cardiff Rd (average MCI 135).	Moderate access for native fish.  Very popular and highly valued angling river.  Very highly rated for recreational uses and values.	Highly rated for aesthetic and scenic values.	Median flow of 3200l/s at Skinner Road.  Relatively steep gradient in ring plain reaches and numerous rapids ensures continuous water movement.  51% total riparian cover, consisting of mixed vegetation.
Tangahoe River		High recreational value for whitebaiting.		

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Tapuae Stream		<p>Access for native fish through most of the stream.</p> <p>Small stream trout fishery.</p>	Highly rated for aesthetic and scenic values.	<p>Median flow of 1400l/s* at river mouth.</p> <p>Very steep gradient with noticeable water movement and numerous shingle rapids which contribute to its scenic appeal.</p> <p>37% total riparian cover, mixed vegetation including indigenous vegetation.</p>
Te Henui Stream		<p>Moderate access for native fish and presence of threatened species.</p> <p>Highly valued angling river.</p> <p>Locally significant trout fishery.</p> <p>Very highly rated for recreational uses and values.</p>	Highly rated for aesthetic and scenic values.	<p>Median flow of 1200l/s* at river mouth.</p> <p>Significant water movement throughout the length of the stream which contributes to its high recreational and scenic value.</p> <p>53% total riparian cover, consisting of mixed vegetation.</p>
Timaru Stream	<p>Excellent to good throughout whole catchment.</p> <p>Low nutrients and low turbidity.</p>	<p>Moderate access for native fish.</p> <p>Important habitat for threatened native species in tributaries.</p> <p>Highly valued angling river.</p> <p>Locally significant whitebait fishery.</p> <p>Highly rated for recreational uses and values.</p>	Very highly rated for aesthetic and scenic values.	<p>Median flow of 1100l/s at SH45.</p> <p>Steep gradient. Considerable current over shingle rapids enhances aesthetic and scenic values.</p> <p>49% total riparian cover, consisting of mixed vegetation.</p>

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Tongaporutu River		<p>Good diversity of native aquatic fauna including eels, whitebait, bullies and torrent fish and presence of threatened species.</p> <p>Recreational uses (canoeing, whitebaiting).</p>	<p>Highly rated for aesthetic and scenic values.</p> <p>Estuary considered to be an area of outstanding coastal value.</p>	<p>Water quantities and flows contribute significantly to high recreational, scenic and aesthetic values.</p> <p>Native forest in upper reaches.</p>
Waiaua River		<p>Popular and valued angling river.</p> <p>Largest angling river between the Hangatahua (Stony) River and Kaupokonui Stream.</p>		
Urenui River		<p>High ecological values in upper reaches.</p> <p>Good diversity of native aquatic fauna including eels, whitebait, bullies and torrent fish.</p> <p>Recreational uses (whitebaiting).</p>	<p>Aesthetic and scenic values.</p>	<p>Retained native vegetation.</p>

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Waingongoro River	<p>Excellent in upper reaches above Opunake Road.</p> <p>Good in middle and lower reaches (average MCI 124).</p> <p>MCI of between 90 and 120 in middle reaches above Skeet Road.</p>	<p>Moderate access for native fish.</p> <p>Very popular highly valued angling river.</p> <p>Very highly rated for recreational uses and values.</p>	Highly rated for aesthetic and scenic values.	<p>Median flow of 4940l/s at SH45 is one of the highest of ring plain rivers. Relatively low gradient with many pools and riffles.</p> <p>31% riparian cover, consisting of mixed vegetation with some indigenous vegetation in places.</p>
Waiongana Stream		<p>Smaller river, good access for fish.</p> <p>Highly valued angling river.</p> <p>Highly rated for recreational uses and values (including whitebaiting).</p>		<p>Median flow of 2680l/s at Devon Road.</p> <p>Considerable water movement in upper reaches. Current slows considerably in lower reaches below Lepperton.</p> <p>53% total riparian cover, consisting of mono-culture of exotic trees or pasture.</p>
Waitara River (middle reaches – from confluence with Manganui River to Bertrand Road)		Large river, access for fish to National Park.	Highly rated for aesthetic and scenic values.	<p>Median flow of 32300l/s at Bertrand Road.</p> <p>Noticeable water movement in some sections with numerous rapids but long, calm, flat sections in between.</p> <p>35% total riparian cover, middle reaches consisting of mono-culture of exotic trees or pasture.</p>
Waitara River (lower reaches – from Bertrand Road to river mouth)		<p>Large river, access for fish to National Park.</p> <p>Whitebait congregating area.</p> <p>Very highly rated for recreational uses and values (canoeing).</p>		<p>Median flow of 34000l/s* at river mouth.</p> <p>River becomes flat and slow moving below Bertrand Rd bridge with some areas of shingle rapids.</p> <p>35% total riparian cover, lower reaches consisting of barren or introduced grasses and weeds.</p>

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Waitotara River		High recreational value for whitebaiting.	Estuary listed in Coastal Plan as an area of outstanding coastal value.	
Waiweranui River		Access for native fish through most of river.  Important native fish values.		Median flow of 900l/s* at river mouth.
Waiwhakaiho River (upper reaches – Egmont National Park to Lake Mangamahoe)	Excellent to good water quality.  MCI excellent to very good, average 130.	Access for native fish through most of river.  Highly valued angling river.  Tributaries provide important native fish habitat.	Highly rated for aesthetic and scenic values.	Median flow of 4050l/s at Egmont Village.  Shallow river. Numerous small rapids and continuous water movement.  There are several pools along this section.  39% riparian cover over all reaches of the river, upper reaches consisting of exotic trees or pasture and introduced grasses or weeds.
Waiwhakaiho River (middle reaches – Lake Mangamahoe to Audrey Gale Park)	Excellent to good water quality.  MCI excellent to very good, average 130.	Access for native fish through most of river.  Highly valued angling river.  Very highly rated for recreational uses and values.  Tributaries provide important native fish habitat.	Very highly rated for aesthetic and scenic values.	Median flow of 5900l/s* at Audrey Gale Park.  Series of continuous rocky rapids with segments of swiftly flowing turbulent white water.  Eddies and pools occur below the rapids.  39% riparian cover over all reaches of the river, middle reaches consisting of mixed vegetation including indigenous.

River or stream	Water quality	Recreational & fishery values	Aesthetic & scenic values	Comments <sup>57</sup>
Waiwhakaiho River (lower reaches – Audrey Gale Park to river mouth)		<p>Access for native fish through most of river.</p> <p>Highly valued angling river.</p> <p>Highly rated for recreational uses and values, including whitebaiting.</p> <p>Tributaries provide important native fish habitat.</p>		<p>Median flow of 5900l/s* at river mouth is one of the highest of ring plain rivers.</p> <p>Slower moving section of the river with some rapids and pools.</p> <p>39% riparian cover over all reaches of the river, lower reaches consisting of barren or introduced grasses and weeds.</p>
Warea River		<p>Smaller river, good access for native fish.</p> <p>Good habitat for threatened native fish species.</p> <p>Important native fish values.</p>		<p>16% total riparian cover, consisting of mono-culture of exotic trees or pasture.</p>
Whenuakura River		<p>High recreational value for whitebaiting.</p>	<p>Estuary listed in Coastal Plan as an area of outstanding coastal value.</p>	

## Appendix IB

### Rivers and stream catchments identified for enhancement of natural, ecological and amenity values and life supporting capacity

River or stream	Water quality	Recreational and fishery values	Aesthetic and scenic values	Comments
Kurapete Stream from below Inglewood to the confluence with the Manganui River	Good in upper reaches, poor in middle reaches, average in lower reaches. Very poor MCI. High ammonia and dissolved phosphorus.			
Mangati Stream	Poor (very poor MCI). High BOD, elevated Cu and Zn.	Important recreational use, runs through Bell Block.		Walkways and gardens.
Mangawhero Stream in the Waingongoro River catchment	Poor in upper reaches, very poor in lower reaches below Eltham. Low dissolved oxygen, high nutrients, high NaCl lifts conductivity, high faecal coliforms above Eltham. MCI very poor.	Important fishery values. Brown mudfish in swampy stream tributaries.		Introduced grasses and weeds, some exotic trees and pasture.
Tawhiti Stream to the confluence with the Tangahoe River	Good to average. Lowland catchment. Very high groundwater nitrate in some bores.			Median flow of 500l/s at Duffy's.

River or stream	Water quality	Recreational and fishery values	Aesthetic and scenic values	Comments
	Poor MCI.			Residual flow is below flow which retains 2/3 habitat at MALF58
Waimoku Stream	High bacteria levels.	Very popular for bathing at river mouth.		Subsidised riparian management project.
Waiokura Stream	Poor. High nitrate and zinc.			

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<sup>58</sup> 1. MALF = mean annual low flow  
2. Residual flow = natural MALF – water allocated for consumptive use



## Appendix II

# Values of protected and regionally significant unprotected wetlands

## Appendix IIA

### Values of protected wetlands in the Taranaki region<sup>59</sup>

Wetland	Area	Ecological values	Other natural and amenity values
Awahou Scenic Reserve swamp	7.4 ha	Vegetation (toe-toe, raupo, sedge tussockland) probably unmodified.	Valley bottom terraces of the Awahou Stream and its tributaries.
Barrett Lake Scenic Reserve	10 ha	Valuable waterbird habitat, including bittern. Raupo and flax common on lake fringes. Moulting site for paradise shelduck.	A small (approximately 6 ha in area) lake with a fringe of wetland species. Similar lakes characterised the landscape around New Plymouth prior to European settlement, but have mostly been drained. Administered by New Plymouth District Council – management Plan (1980) for Barrett Domain. Popular recreational area.
Corbett Lake Scenic Reserve	4.2 ha	Kamaha – swamp maire. Moulting site for paradise shelduck.	Small lake in a depression on lahar deposits, bounded by native bush on three sides.
Hutiwai wetland	100 ha	The largest area of unmodified alluvial terrace vegetation in North Taranaki.	Alluvial terraces of the Hutiwai Stream, within the forested and protected catchment of the Hutiwai Conservation Forest.
Ihupuku Swamp Wildlife Management Reserve	38.8 ha	Flax, coprosma, cabbage tree. Fernbird, spotless crane.	Extensive lowland flax wetland.
Lake Rotokare	230 ha	Bittern, fernbird, Kiwi in surrounding forest. Regionally uncommon Plants include water millet.	A Y-shaped lake with an intact forest catchment. Evidence of temporary Maori food gathering sites. Popular recreational area, used seasonally for powerboating.

<sup>59</sup> For further details refer to “Wetlands in the Taranaki Region: An inventory of regionally significant unprotected and protected wetlands”, Taranaki Regional Council (1997).

Wetland	Area	Ecological values	Other natural and amenity values
Lake Waiau	41.8 ha	Dabchick, grey teal, fernbird, spotless crane, bittern. Ruppia, forked sundew, bur-reed, willow herbs and orchids in mesotrophic bog.	Lake with extensive swamps at north and south ends, some fringing swamp and reed beds on long east and west margins. 'Island' surrounded by swamp at southern end. Two Maori food storage pits on ridge of island.
Landcorp Looney's Lake Conservation Covenant	9.48 ha	Spotless crane. Five bush remnants near the lake include swamp maire, pukatea and tawa. Moulting site for paradise shelduck.	Man-made lake and wetland in a depression on lahar deposits, protected by Conservation Covenant.
Landcorp and Rayonier Te Wera Covenants	80 ha	Raupo reedland and manuka. Fernbird and spotless crane.	Twenty small areas of swampy alluvial terrace protected by Conservation Covenants.
Mangahinau Stream esplanade Reserve	1.3 ha	Tidal rushes, introduced grasses, willows. Whitebait spawning habitat.	Long narrow strip incorporating lower Mangahinau Stream just before entering the Waitara River.
Mangawhio Lake Scenic Reserve	22 ha	Tawa – podocarp forest. Spotless crane.	Lake with moderate to steep bush covered shoreline.
Mataru Scenic Reserve	13.9 ha	High diversity of Plant species including kahikatea, and manuka.	Area of wetland on poorly drained Mt Damper plateau.
Mohakatino Swamp Conservation Area	10 ha	Bittern and spotless crane. Raupo and flax.	A flat coastal wetland area bounded by sand dunes and the Mohakatino estuary and SH3, and backed by a steep hillslope of coastal forest.
Moumahaki Lake Beds Conservation Area	21.3 ha	Raupo reedland, aquatic vegetation. Native fish, eels, spotless crane, grey teal.	Five small lakes and one area of grazed valley flat. Lakes formed by separate slump events.

Wetland	Area	Ecological values	Other natural and amenity values
Ngaere Wildlife Refuge	1 ha	Garden.	Small lake at Ngaere Gardens, part of wildlife refuge (total of 25.3 ha, mostly in pasture).
Okau Scenic Reserve	14.2 ha	High diversity of Plant species. Fernbird.	River flats on the poorly drained Mt Damper plateau. The reserve also contains a small forested hill.
QEII Covenant 5/06/018, Makahu	11.5 ha	Raupo reedland.	Poorly drained alluvial flats on a small tributary to the Makahu Stream.
QEII Covenant 5/06/040, Hangatahua (Stony) River	1 ha	Kahikatea swamp forest, with swamp maire.	Two small areas of remnant swamp forest on recent maero debris flow near Egmont National Park.
QEII Covenant 5/06/045, Tom Watt Wildlife Area	8 ha	Range of Planted species. 5 ha open water.	Artificial ponds created on a tributary to the Taramoukou Stream for waterfowl habitat.
QEII Covenant 5/06/067, Parihaka area	3.5 ha	Kamahi – swamp maire forest.	A small poorly drained basin with the stream running through it. Three small ponds have been created for waterfowl habitat.
Rotokohu Scenic Reserve	20 ha	Fernbird and spotless crane present. Part of the best remaining “drowned floodplain” wetland type in the Matemateonga district.	Adjoining areas of this wetland are on unformed Rotokohu Road and private land and are considered regionally significant (Rotokohu wetlands).
Taramoukou wetlands (headwaters of Onaero River)	20 ha	Rush tussockland. Fernbird.	Swampy alluvial flats of the Onaero River.
Umutekai Conservation Area	10.5 ha	Flax swamp, kahikatea forest, pasture surrounded by farmland. Noted habitat for waterfowl. Moulting site for paradise shelduck.	‘Lake Umutekai’, swamp and forested spurs in valley surrounded by farmland.
Uruti Conservation Area swamp	5 ha	Kahikatea/raupo wetland. Spotless crane.	A small wetland on the margin of the Mimi River surrounded by forested hillslope.

Wetland	Area	Ecological values	Other natural and amenity values
Waihi Stream Wetland	4 ha	One of few remaining coastal wetlands in North Taranaki with unique vegetation type.  Juncus caespiticus only known record for the ecological district.	A coastal wetland on marine terrace near the mouth of the Waihi Stream.
Waitara River Scenic Reserve	2.3 ha	Salt marsh vegetation, raupo, flax, taupata, cabbage tree.  Whitebait congregating area.  Wading birds, occasional royal spoonbills, white heron.  Regionally uncommon saltmarsh ribbonwood.	Mudflats of the Waitara River 500 metres up river from the sea.
Waitara West marginal strip lagoon	2 ha	Foredunes with gorse, boxthorn.  Lagoon may be used by waterbirds.	Coastal lagoon near Waiongana Stream mouth, formed by river diversion works.
Waitotara River Marginal Strip, Hawken's Lagoon Conservation Area	203 ha	Raupo, rushes, marram grass, boxthorn, pasture.  Bittern, fernbird, white heron, dabchick, grey teal.  Plants – Sebaea ovata, Eleocharis neozelandica, pingao.	Dune lake, wetland, sand dunes and river margins of Waiau Stream and Waitotara River.
Wetlands in Egmont National Park	300 ha	Range of vegetation types according to fertility, including manuka/flax, Astelia grandis and rushes and sedges.	A range of lowland and montane wetlands from fertile swamps to infertile acid bogs, including Ahukawakawa Swamp, Potaema Bog, Lake Dive, Norfolk Road Bog, Mangawhero Bog, York Road Bog, Denbigh Road Bog and an extensive network of bogs to the west of Kahui Hut.  Recent additions of Horse Bush, part of Norfolk Road A and Cold Creek Bush.

## Appendix IIB

### Values of regionally significant unprotected wetlands in the Taranaki region<sup>60</sup>

Wetland	Area	Ecological values	Other natural and amenity values
Alfred Road	150 ha	A mosaic of swamp forest and forest associated with the uneven drainage of the debris flow.	A previously logged remnant of forest on debris flows adjoining Egmont National Park.
Clarke Road Swamp	6 ha	Forest, semi-natural forest and raupo swamp. Spotless crane.	Divided into two portions by private road. A small stream has been dammed, creating a higher water level, and inducing a swamp.
Dorset Road	6 ha	A typical remnant of forest (pukatea) that was much more widespread in poorly drained areas in the region, but now rare.	A poorly drained hollow on uplifted marine terrace.
Dudley Road Swamp Forest	7 ha	A forest type (kamahi-swamp maire forest) that was once more widespread but now mostly cleared for agriculture.	Small swamp forest remnants on poorly drained debris flows which have been partly drained and fenced.
Julian's Pond	3 ha	Important area for native water birds – pied stilts, pukeko, white-faced heron.  Limosella 'Opunake' (an endangered taxonomically indeterminate herb of periodically submerged lake shores) and Amphibromus fluitans (a grass of periodically submerged lake shores, of critical status), have been recorded here.	Almost circular coastal lake.  Outlet via a small waterfall over cliffs.
Kahui Road	6 ha	A mosaic of swamp and drier variations of kahikatea forest, in relation to the hummocky nature of the topography and varied nature of the drainage.	A small tongue of regenerating forest on a debris flow adjoining Egmont National Park.

<sup>60</sup> For further details, refer to "Wetlands in the Taranaki Region: An inventory of regionally significant unprotected and protected wetlands", Taranaki Regional Council (1997).

<b>Wetland</b>	<b>Area</b>	<b>Ecological values</b>	<b>Other natural and amenity values</b>
Kaweora Road	60 ha	Largest remnant of mosaic of forest and swamp typical of the lahar deposits.	A large remnant of previously logged forest which includes the range of vegetation types associated with the topography and drainage of the lahar deposits.
Komene Lagoon	4 ha	An important feeding area for a variety of native water birds including pied stilt, little shag, paradise shelduck, shoveller duck, grey teal and white faced heron.	A coastal dune lake south of the Stony River mouth, that dries up in summer months.
Lake Kaikoura	15 ha	Important waterfowl habitat. Gully arms have gradient of vegetation types from wetter to drier sites.	A gully system that has been blocked by windblown sand, forming a lake and swampy gully arms.
Lake Oturi	50 ha	The vegetation communities, with a high diversity of species are unique in the ecological district. High value as waterfowl habitat.	A broad gully system in a terrace of the Rapanui series which has been dammed by windblown sand forming a lake of moderate depth. The lake level appears to be natural with marshy edges.
Lloyd's Ponds (Tank Farm ponds)	2 ha	Important water bird habitat including bittern (a vulnerable species).	Two semi-natural coastal lakes on the Pouakai ring plain. Water levels have been modified.
Mudfish sites, Rawhitiroa area	2 ha	Brown mudfish – largest known single population of this vulnerable species in the Wanganui Conservancy.	Small forest remnants on the edge of the Ngaere peat dome.
Norfolk Road Swamp Forest	30 ha	Nationally threatened species mistletoe present.	A large, previously logged remnant of forest typical of the poorly drained debris flows, with a mosaic of wetter and drier vegetation types in relation to the varied nature of the underlying geology and drainage. Swamp maire was a component in forest which formerly covered at least 20,000ha of the Egmont ecological region. This area is important for the protection of this swamp species.

Wetland	Area	Ecological values	Other natural and amenity values
Nowell's Lakes (Rifle Range Road Lakes)	10 ha	Important feeding area for native water birds including Australasian bittern, whitefaced heron, pied stilt, cattle egret, little black shag, paradise shelduck and pukeko.  Black swan present.	Two adjacent coastal dune lakes with highly modified margins.
Nukuhau Lakes	4 ha	A fringe of one or two metres wide around the lake edge consisting of toetoe-raupo/giant umbrella sedge grassland, raupo reedland and pukatea treeland.	Six small lakes in two adjacent gullies formed by slipping and slumping which has dammed the gullies near the heads, impeding drainage and forming the lakes. The edges are abrupt with steep surrounding land, with shallow arms which have become eutrophic.  The catchments are predominantly indigenous vegetation, though much of it is secondary, thus the lakes are well buffered.
Rotokohu wetlands	4 ha	Best example of poor draining silt floodplains in the Matemateonga Ecological District being undrained with intact native vegetation.  Fernbird and spotless crane present.  Sedgeland dominated by <i>Carex geminata</i> and giant umbrella sedge. The rushes <i>Juncus gregiflorus</i> and <i>J. effusus</i> are also widespread.	Poor draining silt floodplains of the Pokeha Stream, including Lake Rotokohu and several small ponds.  The valley floor ends abruptly at the base of surrounding hills with no intermediate toe slope.  Variable vegetation pattern on a small scale due to differences in water table and fertility.
Swampy Bush	25 ha	A mosaic of swamp forest and drier types on the varied topography of the lahar deposits.	A previously logged forest remnant on lahar deposits close to the coast in an area where little native vegetation remains.
Tarurutangi swamp forest (Lower King Road)	4 ha	A typical remnant of a swamp forest (pukatea forest with kahikatea and swamp maire) that was much more widespread, but now rare in the region.	A previously logged remnant in a poorly drained hollow in uplifted marine terrace.  Some drainage around the western and eastern edges.

Wetland	Area	Ecological values	Other natural and amenity values
Umutekai	28 ha	<p>The only remnant of a forest type that was previously common in other poorly drained fertile areas in the ring plain.</p> <p>Only known location for the fern <i>Athyrium japonicum</i> in the region.</p>	<p>A large remnant of semi-coastal forest on the Pouakai ring plain, between the headwaters of the Manganaha and the Mangemiemi Streams – two small tributaries of the Waiwhakaiho River.</p>
Waipipi Dunes	40 ha	<p>One of the best examples of early foredune/swale colonising vegetation in the Foxton Ecological District.</p> <p>Endangered herb, vulnerable sedge and threatened sand daphne.</p>	<p>A highly dynamic complex of low (less than 4m) dunes and small, wet sand flats and depressions (swales) extending inland 200-300m to taller (15m) more stable relict foredunes. Some swales may have permanent water.</p>



## Appendix III

Wetlands containing nationally or regionally rare, threatened or  
uncommon flora or fauna



## Appendix III

### Schedule of wetland sites under 5 ha in the Taranaki region that contain nationally or regionally rare, threatened or uncommon indigenous flora or fauna

	Area	Grid reference	Ecological values	General description
Toko Wetland	2-3ha	Q20:274 054	Ferns ( <i>Hypolepis distans</i> ) and spotless crane ( <i>Porzana tabuensis plumbea</i> ). Other vegetation types include: pussy willow, raupo, <i>Carex secta</i> , native scrub and submerged Plants.	A wetland tributary of the Patea River
Te Wawa Wetland	4ha	P19:935 325	Spotless crane, flaxland and goldstripe gecko evident. Other vegetation types include: raupo reedland and <i>Carex</i> species.	Currently recovering from past drainage and removal of flax Plants.
Maitahi Wetland	0.5ha	P19:860 265	Habitat for spotless crane and Australasian bittern. Vegetation includes: raupo, <i>Carex</i> species and flax.	A small thin strip of no more than 10 metres wide in a swampy gully bottom that follows the stream course.
Pohokura Swamp	3ha	R19:540 244	Vegetation types include: raupo reedland, some willow and kahikatea in the lower reaches, and spotless crane.	Long thin gully surrounded by pine Plantations.
Waitotara Lagoon	2ha	R22:576 528	Raupo, spotless crane and maybe bittern evident. Other vegetation types include: reedland, toetoe, pampas and willows.	An oxbow lake.
Rapanui	0.5-1ha	Q18:483 659	Contains raupo and bittern.	A small wetland site located adjacent to State Highway 3 and the Rapanui Stream mouth.
Huiakama Lagoon	3-4ha	Q20: 455 157	Kahikatea and sedges on the river flats. Spotless crane. Other vegetation types include: <i>Juncus</i> species, kahikatea forest and <i>Carex</i> species.	An area of previously cleared land reverting back to a wetland.
Ararata Road	1ha	Q21:281 899	Spotless crane, raupo reedland, occasional <i>Carex</i> species around edge and one clump of willows.	A long 'V' shaped gully with a thin swampy stream. A man-made pond is located at the bottom of this gully.
Mudfish Wetland 1	3-4ha	Q20:268 963	Two very different vegetation types. One side is mainly flax and raupo and the other regenerating forest, with trees such as pukatea and swamp maire evident. Both areas are inhabited by Brown mudfish ( <i>Neochanna apoda</i> ).	Is thought to be the most significant wetland in respect of mudfish on the Eltham Peat. Terminal populations of mudfish are located at this site.
Mudfish Wetland 2	1-4ha	P21:001 834	Contains the Otakeho population of mudfish ( <i>Neochanna apoda</i> ). Could also be home to bittern ( <i>Botaurus poiciloptilus</i> ) and spotless crane	Wetland site with stream running through the centre.

	Area	Grid reference	Ecological values	General description
			(Porzana tabuensis plumbea). Vegetation types include: raupo, flax and Carex.	
Patea	3ha	Q22:538 597	Tadpole shrimp (Lepidurus apus) and pied stilt (Himantopus himantopus eucocephalus) located there.	Ephemeral wetland that is used by birds as a coastal stop off.

## Appendix IV

Catchment maps (Sourced from Land Information New Zealand data. Crown Copyright Reserved.)





Adjoins Figure 1b

Figure 1a: Hagatahu (Stony) River catchment.





Figure 1b: Hagatahu (Stony) River catchment.





Figure 2a: Maketawa Stream Catchment (excluding Ngatoro Stream, above the confluence of the Ngatoro-iti Stream).



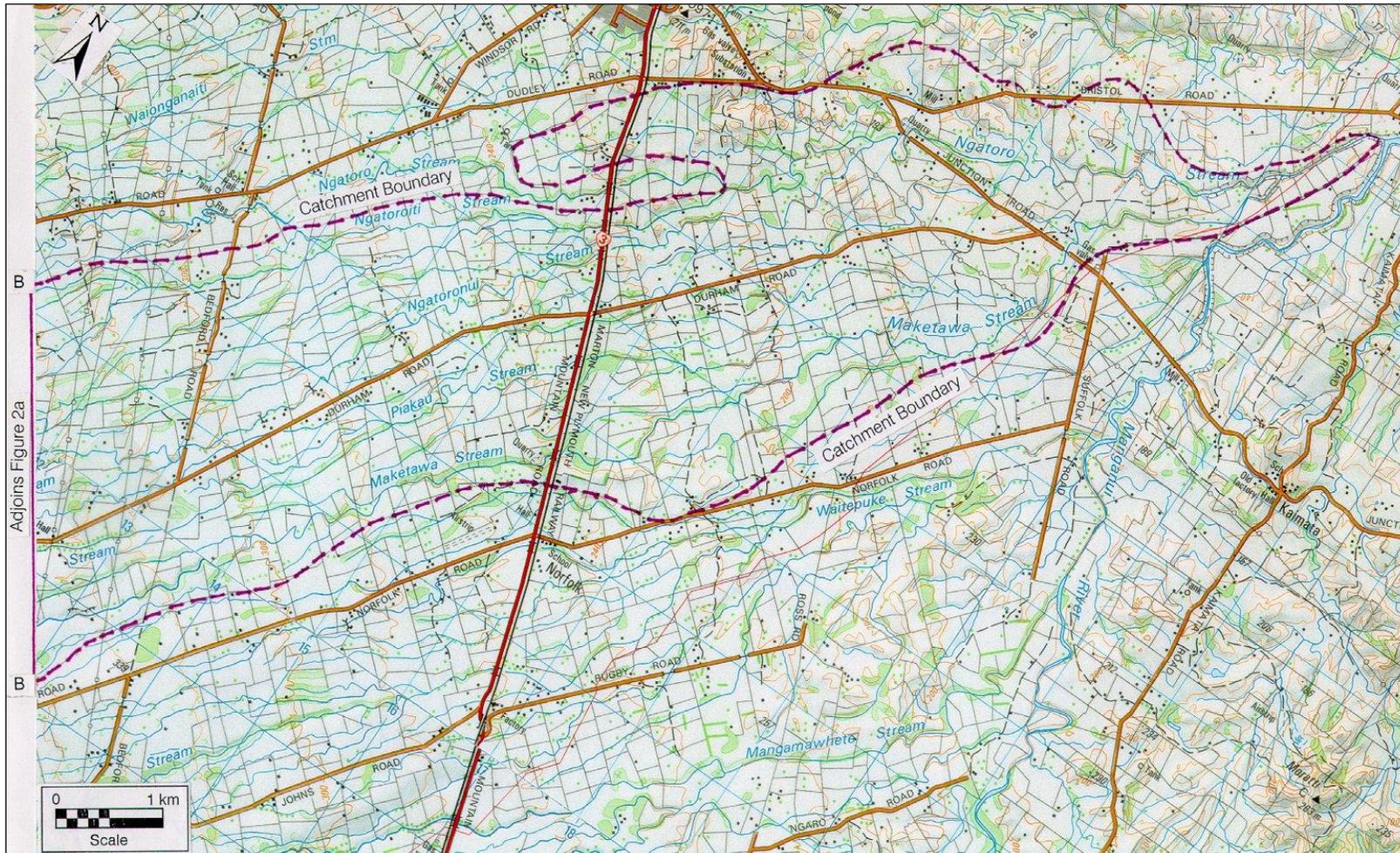
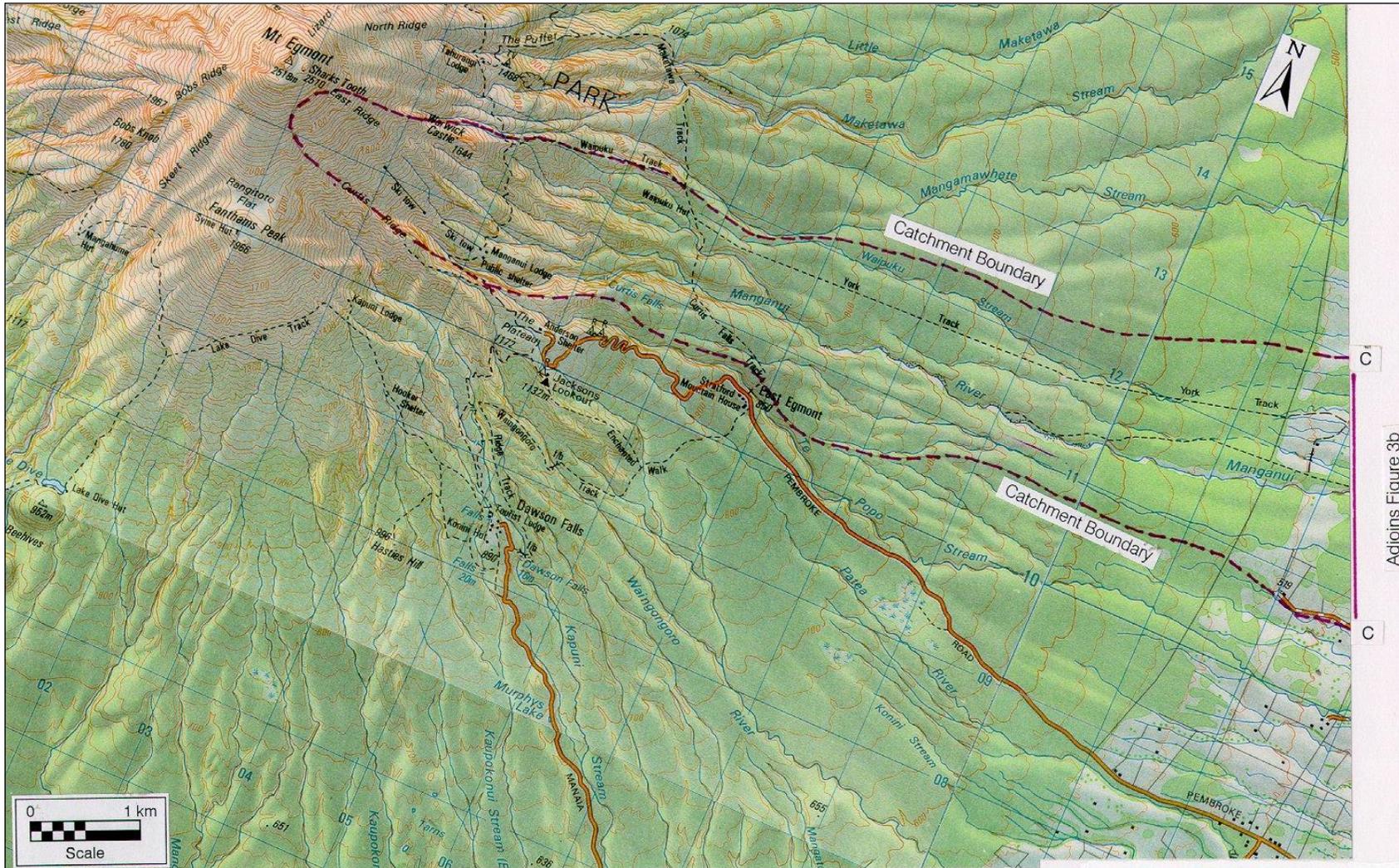


Figure 2b: Maketawa Stream Catchment (excluding Ngatoro Stream, above the confluence of the Ngatoro-itī Stream).





Adjoins Figure 3b

Figure 3a: Manganui River catchment (excluding Te Popo Stream).



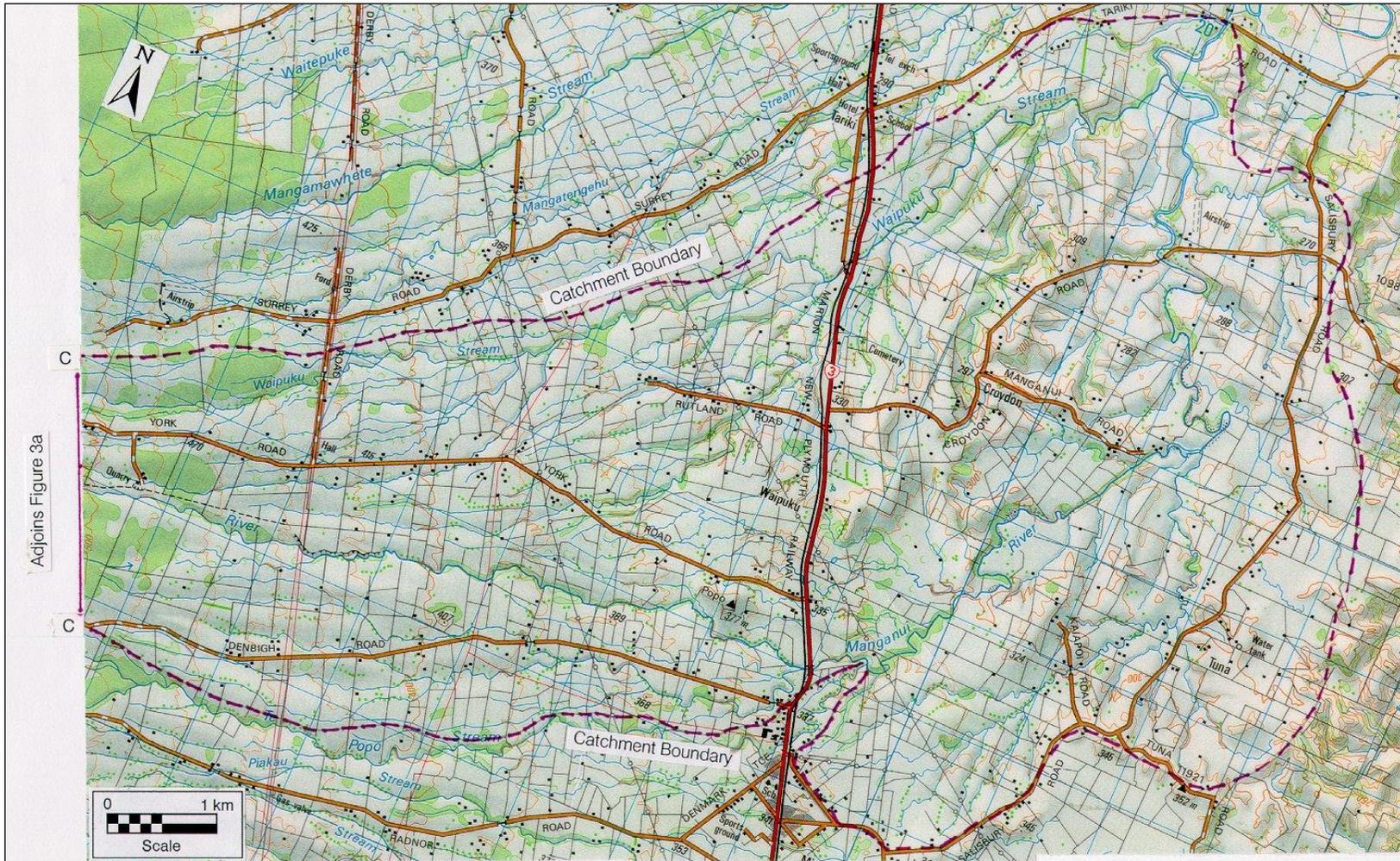


Figure 3b: Manganui River catchment (excluding Te Popo Stream).



## Appendix V

### Surface water quality guidelines

## Introduction

This appendix provides guidelines for resource consents.

The water quality guidelines are expressed in terms of the receiving water rather than the discharge. Thus, conditions on a resource consent must take account of the effects of, for instance, mixing and existing discharges. This is specified in the guidelines with the phrases "After reasonable mixing" and "the contaminant, either by itself or in combination with other contaminants". The latter phrase is to ensure that the cumulative effect of all discharges to the water body is considered.

These guidelines are not intended to act as minimum requirements for water quality. As required by section 7 of the Act, and the policies contained in the Plan, water quality in the region is to be **maintained and enhanced**. These guidelines provide some indication of desirable targets, but the actual targets set will depend on the circumstances. In addition, the requirements contained in Policy 6.2.4 regarding the adoption of the best practicable option may also apply in certain circumstances, and should be considered in conjunction with these guidelines.

These guidelines are based on the Act Third Schedule Water Quality Classes; Water Quality Guidelines No 1 (Ministry for the Environment, 1992); and Guidelines for optical quality of water and protection from damage from suspended solids (Davies-Colley R J, 1991).

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

## Guidelines

**Note:** The standards listed for each guideline apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.

## General guidelines

The following guidelines reflect the minimum water quality standards established in sections 70 and 107 of the Act.

After reasonable mixing, the contaminant, either by itself or in combination with other contaminants, is not likely to cause any of the following effects:

- (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
- (b) any conspicuous change in the colour or visual clarity;
- (c) any emission of objectionable odour;
- (d) the rendering of fresh water unsuitable for consumption by farm animals;
- (e) any significant adverse effects on aquatic life.

## Aquatic ecosystem purposes

After reasonable mixing, the contaminant, either by itself or in combination with other contaminants:

- (a) shall not cause any of those effects in the General guidelines above;
- (b) shall not cause the natural temperature of the water to change by more than 3° Celsius;
- (c) shall not cause any of the following if they have an adverse effect on aquatic life:
  - (i) any pH change;
  - (ii) any increase in the deposition of matter on the bed of the water body or coastal water;
  - (iii) any discharge of a contaminant into the water;
- (d) shall not cause the concentration of dissolved oxygen to fall below 80% of saturation concentration;
- (e) shall result in water that has sufficient clarity such that the standard black disc measurement shall equal or exceed 1.6m;
- (f) shall not cause a decrease in water clarity of between 33% and 50%, as determined using the standard black disc measure;

- (g) shall not cause the concentration of dissolved reactive phosphorus to exceed 0.03 gm<sup>-3</sup>;
- (h) shall not cause undesirable biological growths.
- (i) **Note:** The following guidelines shall only apply in those areas that are currently used for contact recreation or water supply purposes.

## Contact recreation purposes

After reasonable mixing, the contaminant, either by itself or in combination with other contaminants:

- (a) shall not cause any of those effects in the General guidelines above;
- (b) shall not cause the concentration of carbonaceous, filtered BOD to exceed 2 gm<sup>-3</sup>;
- (c) shall result in water that has sufficient clarity such that the standard black disc measurement shall equal or exceed 1.6 m;
- (d) shall not cause the numbers of enterococci to exceed 33/100 ml (median of samples over bathing season)<sup>61</sup>;
- (e) shall not cause the water to be rendered unsuitable for bathing by the presence of contaminants;
- (f) shall not cause undesirable biological growths as a result of any discharge of a contaminant into the water.

## Water supply purposes

After reasonable mixing, the contaminant, either by itself or in combination with other contaminants:

- (a) shall not cause all those effects in the General guidelines above;
- (b) shall result in the pH of surface waters being within the range 6.0-9.0 units;
- (c) shall not cause the concentration of dissolved oxygen in surface waters to fall below 5 gm<sup>-3</sup>;
- (d) shall not cause the concentration of carbonaceous, filtered BOD to exceed 2 gm<sup>-3</sup>;

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<sup>61</sup> This is a provisional microbiological quality guideline. There will also be a single sample maximum according to the frequency of use of the area.

- (e) shall not cause the concentration of NO<sub>3</sub> to exceed 11.3 gm<sup>-3</sup>;
- (f) shall not cause the water to be rendered unsuitable for treatment (equivalent to coagulation, filtration, and disinfection) for human consumption by the presence of contaminants;
- (g) shall not cause the water to be tainted or contaminated so as to make it unpalatable or unsuitable for consumption by humans after treatment (equivalent to coagulation, filtration and disinfection), or unsuitable for irrigation;
- (h) shall not cause undesirable biological growths as a result of any discharge of a contaminant into the water.

## Fishery purposes

After reasonable mixing, the contaminant, either by itself or in combination with other contaminants:

- (a) shall not cause any of those effects in the General guidelines above;
- (b) shall not cause the natural temperature of the water:
  - (i) to be changed by more than 3° Celsius; and
  - (ii) to exceed 25° Celsius
- (c) shall not cause the concentration of dissolved oxygen to fall below 80% of saturation concentration;
- (d) shall not result in fish being rendered unsuitable for human consumption by the presence of contaminants.

## Fish spawning purposes

After reasonable mixing, the contaminant, either by itself or in combination with other contaminants:

- (a) shall not cause any of those effects in the General guidelines above;
- (b) shall not cause the natural temperature of the water to be changed by more than 3° Celsius, nor shall it cause the natural temperature of the water to be altered to

such an extent that it will adversely affect the spawning of specified fish species during the spawning season;

- (c) shall not cause the concentration of dissolved oxygen to fall below 80% of saturation concentration;
- (d) shall not cause undesirable biological growths as a result of any discharge of a contaminant into the water;
- (e) shall not cause the concentration of carbonaceous, filtered BOD to exceed  $2 \text{ gm}^{-3}$ .

## Appendix VI

# Good agrichemical spray management practices

## Introduction

This Appendix has been developed from various sources of information, including information sheets from MAF, and regional plans developed by other regional councils. The material relating to spray management is based on information contained in New Zealand Standard 8409: Agrichemical Users Code of Practice, June 1995, developed by the New Zealand Agrichemical Education Trust.

This Appendix has been included in the Plan in a simple and convenient form for general public information and education purposes. The information contained in this Appendix also provides general guidance on the best practicable option for preventing or minimising adverse effects on the environment from the application of agrichemicals. It provides a general indication of the nature of the conditions that might be attached to a resource consent for the application of agrichemicals.

### Any person discharging aquatic herbicides:

- Should use only herbicides with label claims for use in or over bodies of water.
- For spraying of emergent plants should not submerge treated plants.
- Should always proceed upstream while spraying flowing watercourses, to avoid any build-up of herbicide concentration in the water.
- Should notify landowners whose stock have access to the waterway, or who use the waterway for potable water.
- Should apply agrichemicals to lakes in periods of the year when water temperatures are low, the weed is growing, but when there is not a high standing crop, in order to avoid adverse effects on aquatic life.
- Should apply agrichemicals to parts of the water body at intervals of at least ten days and not simultaneously over the whole area. Fish then have an opportunity to move to untreated areas if the dissolved oxygen content drops significantly.
- Water that has been treated with aquatic herbicides should not be used for the following purposes, until the times specified have elapsed after treatment:

- Standing water: bathing, human consumption, fish farming, and livestock watering (24 hours); overhead irrigation (10 days);
- Flowing water should not be used for the above purposes for 24 hours. Though it is difficult to determine the distance downstream from the treated stretch that the limitation should apply in, the general criteria are:
  - (i) Near-static water (flowing not more than 1 km in 24 hours): the limitation should apply to the treated section and 1 km downstream;
  - (ii) Faster flowing water: the limitation should apply over the treated stretch and the distance treated water would move in 24 hours, or up to the point of discharge into the main body of receiving water.

### Any person discharging aquatic herbicides by spray application:

- Should undertake an accredited or recognised course in the use of agrichemical sprays.
- Should not spray if the wind speed over the area to be sprayed is less than one metre per second.
- Should have particular regard to wind speed and direction during the application of spray.
- Should discharge sprays during periods of positive air movement away from sensitive receiving environments (including water courses, places of public assembly, and public amenity areas).
- Should have particular regard to selection of nozzle size and pressure of spray units, to prevent or minimise the potential for spray drift.
- Should dilute spray solutions to the proper concentration for application.
- Should dispose of surplus spray solution and spray containers according to recommendations of the manufacturer or supplier, as stated in the directions on the product container label.
- Should keep specific records of the type of each spray applied, the volume of spray used, the volume of product concentrate used, the date, and the locality.

- Should use only those agrichemicals currently licensed for use by the Pesticides Registration Board.
- Should apply sprays strictly in accordance with the manufacturer's instructions, as stated on the product container label.
- Should preferably use sprays of low volatility or low toxicity.
- Should use equipment generating a droplet size greater than 50 microns in diameter, and preferably greater than 250 microns.



## Appendix VII

# Good management practices for discharge of agricultural effluent

## Appendix VIIA

### Good management practices for discharging farm dairy effluent to land

In the Taranaki region the application of farm dairy effluent on to land is a controlled activity requiring a resource consent. Where there is a failure to comply with conditions outlined in the regional rule regarding application of effluent on to land then the activity becomes a discretionary activity.

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Taranaki Regional Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

This appendix contains information relating to the discharge of farm dairy effluent to land. The material is laid out so that information relating to the treatment and discharge system is addressed first, then information relating to site selection is presented.

### Improving existing effluent treatment systems

#### Reducing clean water entering the system

Prevent clean water from entering the effluent system as it unnecessarily adds to the volume of effluent to be disposed of, increasing the cost of treatment.

- Rainwater from roofs should not run into the sump. Install roof guttering and downpiping.
- Use a stormwater diversion to redirect the yard stormwater to a soak hole or waterway between milking. Stormwater must be directed to the farm dairy effluent treatment system during milking and washdown of the yard. This will ensure that contaminated stormwater cannot discharge to local waterways.
- Clean water from plate coolers should be reused as washdown water.

#### Reducing manure

Manage the herd to reduce effluent. Consider the following:

- Reduce noise and herd stress - treat the stock gently before yarding and milking, be even tempered, do not use dogs in and near the farm dairy, and check for, and stop, stray electricity.
- Improve cow flow. Extra time spent on the yard and raceways will increase the total amount of manure. If using the farm dairy yards as a wintering pad or as a stand off pad remember - more effluent has to be treated.
- Split larger herds during milking.
- Do not feed the herd during milking.

#### Reducing washwater and waste

Speed up final cleaning and minimise the amount of washdown water by prewetting the yard before milking, and by using manual scrapers and squeegees, and shovelling off the manure pats.

Also prevent afterbirth, rubbish and waste products from entering the effluent treatment system. Have a trash drum outside the farm dairy to dispose of rubbish.

### Effluent collection

#### The stone/sand trap

Stone or sand traps hold back sand, gravel, bale twine and clumps of grass that are washed off the yard. This prevents any blockage in drain lines, the pump and in effluent spray systems.

The stone trap should be large so it does not require continual cleaning and so it can be cleaned easily using either a wide mouthed shovel or a tractor's front end loader bucket.

#### The sump and storage facilities

Sumps should be large enough to allow easy cleaning and a 300mm freeboard from the top of the sump to the highest effluent level must be allowed for. When the sump is

pump drained, it is better if the sump is large and the pump is operated on a timer mechanism rather than float switches or probes.

Provide an overflow, especially if the sump is small. This should lead to a temporary holding basin.

From the sump, the effluent is best stored in a holding pond, or an active or disused oxidation pond, and applied to land when the soil and climatic conditions are suitable. Minimum storage is 10m<sup>3</sup> per 100 cows. This will allow 8 milkings storage should the land application system fail. Storage also offers farmers flexibility, as they are able to choose the best time for effluent application and it is back-up storage in case of system breakdown. It also allows for the settling of solids that may otherwise damage the pump.

## Land application system selection

Land application usually involves the use of a spray application system. There are a variety of different systems available. Alternatively, a contractor may be employed to apply the effluent from a holding pond several times annually.

### Spray application

Most spray application systems consist of a pump, delivery line and applicator frequently applying effluent onto the pasture. Figure 1 gives the components of a typical spray application system.

Where topography allows a gravity fed system can be used to convey the effluent from holding or storage ponds to the area that needs to be irrigated. However, most systems involve the use of a pump feeding the irrigators.

Pumps operating from a pond can be seated on a float. Electric motor driven pumps, manufactured especially for effluent, are best.

The delivery pipeline is made up of the mainline carrying effluent to the application site, and the sprayline carrying effluent from the hydrants to the applicator. The delivery pipeline should utilise swept 'bend' fittings in preference to sharp 'elbow' fittings otherwise flow will be restricted.

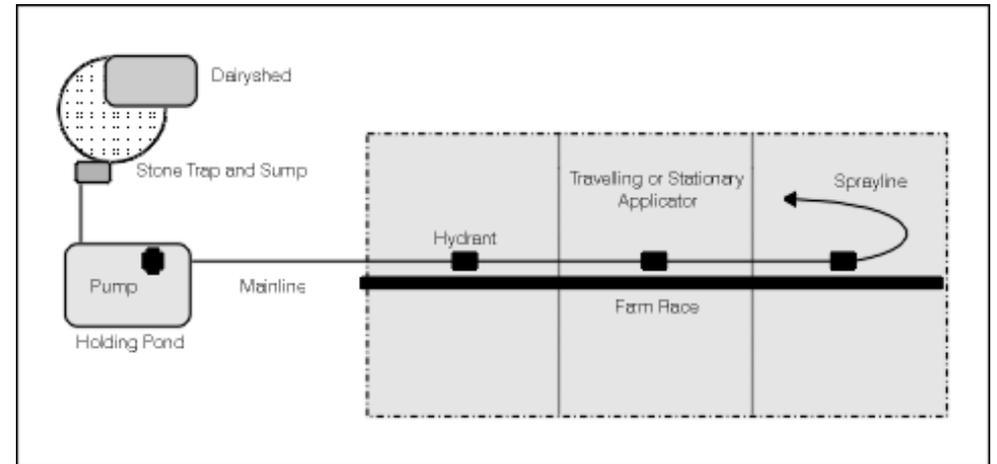


Figure 1 Components of a spray application system

Place the mainline along fence lines so it can service two adjacent paddocks and is away from cultivating machinery.

When the land around the hydrant is to be treated, the sprayline is coupled to the hydrant. A valve is necessary at any hydrant where the pond is at a higher level than the application site. This will prevent the holding pond draining when the pump is turned off. Also a non return valve is necessary when pumping uphill.

The applicator is fed by the portable polyethylene sprayline. The sprayline should not be greater than 150m long. Pressure loss increases with distance. Also it is difficult for a farmer or a travelling applicator to drag a long sprayline full of effluent. For ease of handling the sprayline can be broken down to sections with camlock joints. When shifting the sprayline take large sweeping turns to avoid kinks.

Travelling applicators have advantages over stationary applicators. Stationary applicators require frequent shifting, which is often a problem when other farm duties require time.

Travelling applicators winch themselves using a wire rope which is fixed to a metal peg at the end of the run. Beware of using fence line posts as an anchor for the wire rope. Posts can be pulled from the ground.

Select a travelling applicator that applies effluent low to the ground, has a wide wetted width and variable travel speeds and that automatically shuts down at the end of a run. Galvanising is also important as the effluent is very corrosive.

### **Contractors**

Contracted spreading gives the most flexibility when applying effluent to land. The application site is not limited to a fixed area and effluent can be spread in late spring on to silage and hay paddocks, and in mid summer onto pasture to combat dry weather.

Pond sites and fencing should allow vehicle access. The effluent must be stirred to mix the various layers into a liquid slurry, before removing it from storage. If the storage facility is sealed with a liner, take care not to damage it with the stirrer or suction end of the pipe. Make contractors aware of the liner. When stirring ponds, take care backing the tractor up to the pond. If the tractor slopes back too far, lubricating oil in the tractor engine will fall away from the front crank bearing, damaging the engine.

When using contractors or hiring equipment, make sure that the equipment used has been cleaned before use on your farm. This is so diseases are not transferred within the effluent from one property to another.

There are two types of contracting operations - pump spreaders and vehicle spreaders (honey wagons). It is the pump spreading operation that is best used in most cases.

Pump spreading contractors use a large pump set up on a mobile platform which is capable of pumping up to 800m through a pipeline to a travelling/stationary applicator. This enables 100 to 150ha to be reached around a pond and there is no damage to races, gateways or paddocks with the operation of heavy equipment.

Vehicle spreading contractors suction draw effluent from a holding pond into a mobile tank. Effluent is pump sprayed from the rear of the mobile tank on to the land. The vehicle spreader runs up and down paddocks in strips, covering the application area. The vehicle and tank moving across the land can cause damage to the pasture and soil, especially around gate entrances. Use vehicle spreaders when soils are dry.

## **Land application**

### **Site selection**

When choosing a site to apply effluent to land, select a large enough area, where the land is relatively flat, the water table is deep and the soil is free-draining.

- Hygiene: do not apply effluent within 45m of the farm dairy as disease causing micro-organisms may live in the effluent and can pose a risk to both animal and human health. Separation distances for hygiene purposes are specified in the Dairy Industry Farm Dairy Code of Practice.
- Recommended proximity to groundwater and surface water: not within 50m of a bore or well, or 25m of a surface water body. If effluent accidentally enters a waterway it may decrease the ability of the waterway to sustain life as well as cause a health risk to people and animals. The regional rule for discharge of farm dairy effluent to land states that no contaminants shall be discharged to surface water. The direct application of effluent into surface water can result in legal action by the Taranaki Regional Council.
- Recommended proximity to dwellings and public roads: not within 150m of any dwelling house and not within 20m of any road. Effluent can cause a nuisance to the public because of its odour and it may attract flies.

### **Area required**

Apply up to 200kg/ha of nitrogen each year. This limit is used throughout New Zealand as the generally accepted upper limit beneficial to pastures. A higher rate may result in high nitrate levels in groundwater. Also, the clover content of pasture and the amount of nitrogen fixed by the clover may be reduced.

Table 1 gives the area required for various herd sizes. The area required is the minimum, and it is preferable to have a larger area. 200kg/ha of farm dairy effluent nitrogen each year is approximately the same as setting aside an application area of 3 hectares per 100 cows.

**Table 1** Application area for a N loading rate of 200kg/ha/yr

Cow numbers	Area Required (ha)
100	3.0
150	4.5
200	6.0
250	7.5
300	9.0
350	10.5
400	12.0
450	13.5
500	15.0

### Fertiliser value

There is fertilising benefit to be gained when applying effluent to pasture and cropping land. Farm dairy effluent offers a source of N, P, K and S fertilisers and trace elements to increase pasture or crop production. The organic matter in the effluent can improve soil water holding capabilities, soil aeration and drainage, and soil tillage characteristics. Application of effluent on to pastoral soils may also increase earthworm numbers. Application of effluent that has been treated by a two-pond oxidation pond treatment system offers additional benefits, as much of the nitrogen in farm dairy effluent is converted to ammonia during the treatment process. This form of nitrogen is much more readily available for plant uptake.

Table 2 gives typical nutrient values for farm dairy effluent. Note, however, that the fertiliser value of effluent from a single property will vary between milkings and between seasons. Also, effluent stored in ponds changes in nutrient content.

**Table 2** Equivalent fertiliser value of effluent from 100 cows

Nutrient (kg/yr)					Solid Fertiliser Equivalent (tonnes/yr)
N	P	K	S	Mg	
590					1.3 of Urea
	70	540	80		1.3 - 2.2 of 50% Potash Super
				100	0.2 of Mg Oxide

Farm dairy effluent from 100 cows, spread over 3 hectares will provide approximately:

- 200kg/ha of N.
- 23kg/ha of P.
- 180kg/ha of K.
- 27kg/ha of S.
- Magnesium and calcium.

Not all the nutrients are available to plants in the first year. Most potassium is available for pasture uptake, but nitrogen and phosphorus will require time to be broken down into plant available forms.

### Application management

A very heavy application of effluent may result in surface ponding, runoff into waterways, leaching and groundwater contamination, or odour problems. It may also damage the pasture, blocking out light and rotting the sward at ground level.

The maximum application (mm) is the maximum amount of effluent that should be applied at any one time. This is generally two milkings worth of effluent. The application interval (days) is the minimum time interval between applications to allow the soil to recover. These are dependent on the soil type and Plant cover. Table 3 gives recommendations for pastoral soils.

For cropping land, larger volumes of effluent may be applied to bare soil. Allow the soil to dry out, then work the effluent into the subsoil before sowing or planting.

**Table 3** Application recommendations for various soils types under pasture cover

Soil Type	Maximum Application	Application Interval
Sand	15 mm	5 days
Sandy loam	24 mm	15 days
Silt loam	24 mm	20 days
Clay loam	18 mm	20 days
Clay	18 mm	20 days
Peat	20 mm	15 days

### Pasture management

Where possible, wait for rain or allow a 7 day stock withholding period before grazing. This will ensure pasture is sterilising by sunlight and air or washing by rainfall.

It is ideal to graze stock in front of the area to be treated, a few days before application. This will provide short pasture and will allow time for sterilisation and the recovery of palatability before stock return. Also, short pasture will benefit most from the nutrients with less risk of the sward rotting.

For hay and silage, effluent should not be applied within the 7 days before harvesting.

### Management and maintenance

Ensure applicators are shifted frequently.

Regularly check and repair pumps, applicators and other effluent equipment.

If the system is not going to be used for a long time, flush it with water before close down. This will prevent the effluent settling, solidifying and blocking the pipeline.

### Monitoring the system

The resource consent holder has primary responsibility for monitoring the functioning of the system.

The following guides indicate a poorly operating land application system:

- Effluent ponding on the pasture surface.
- Pasture spoilage with areas of mucky pasture.

Both indicate that the application system is applying too much effluent on too small an area. Shift more frequently or ensure contractors are applying the effluent sparingly.

Where it is suspected that the land application system is operating poorly, also consider the options in 'Improving existing effluent treatment systems', above. Contact the Taranaki Regional Council.

### References

Heatley, P.R., 1996. "Dairying and the Environment Manual: Managing Farm Dairy Effluent". Dairying and the Environment Committee, New Zealand Dairy Research Institute, New Zealand.

Standards Association of New Zealand, 1973. NZS 5103: "Code of Practice for the Design, Installation and Operation of Sprinkler Irrigation Systems". SANZ, Wellington, New Zealand.

Vanderholm, D.H., 1984. "Agricultural Waste Manual". New Zealand Agricultural Engineering Institute Project Report No. 32. NZAEI, Lincoln College, New Zealand.

## Appendix VIIB

### Good management practices for discharging farm dairy effluent to water

In the Taranaki region the discharge of treated farm dairy effluent to water is a controlled activity requiring a resource consent. Where there is a failure to comply with conditions outlined in the regional rule regarding discharge of effluent to water then the activity becomes a discretionary activity.

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Taranaki Regional Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

This appendix contains information relating to the discharge of farm dairy effluent to surface water. The material is laid out so that information relating to treatment and the discharge system is addressed first, then information relating to site selection is presented.

### Improving existing effluent treatment systems

The pond system will not work well:

- If it is too small.
- At temperatures below 20°C.
- When bottom sludge or surface crusting has built up sufficient to affect performance.
- If the retention time is less than 60 days.

For a poorly operating pond system to continue to be an acceptable and practicable option, the volume of effluent often needs to be reduced and be treated to a higher standard. Pond sizes may also need to be increased, see 1.4 for further detail.

#### **Reducing clean water entering the system**

Prevent clean water from entering the effluent system as it unnecessarily adds to the volume of effluent to be disposed of.

- Rainwater from roofs should not run into the sump. Install roof guttering and downpiping.
- Use a stormwater diversion to redirect the yard stormwater to a soak hole or waterway between milking. stormwater must be directed to the farm dairy effluent treatment system during milking and washdown of the yard. this will ensure that contaminated stormwater cannot discharge to local waterways. Make sure it is open during the day and night, and it is closed during milking and washdown.
- Clean water from plate coolers should be reused as washdown water.

#### **Reducing manure**

Manage the herd to reduce effluent. Consider the following:

- Reduce noise and herd stress - treat the stock gently before yarding and milking, be even tempered, do not use dogs in and near the farm dairy, and check for, and stop, stray electricity.
- Improve cow flow. Extra time spent on the yard and raceways will increase the total amount of manure. If using the farm dairy yards as a wintering pad or as a stand off pad remember - more effluent has to be treated.
- Split larger herds during milking.
- Do not feed the herd during milking.

#### **Reducing washwater and waste**

Speed up final cleaning and minimise the amount of washdown water by prewetting the yard before milking, and by using manual scrapers and squeegees, and shovelling off the manure pats.

Also prevent afterbirth, rubbish and waste products from entering the effluent treatment system. Have a trash drum outside the farm dairy to dispose of rubbish.

#### **Additional Treatments**

Attaching an additional treatment as part of the pond system can solve the problem of poor effluent quality. Different methods of providing additional treatment are listed below:

- Apply the effluent to land rather than discharging to a waterway. The pond system can provide an excellent first treatment and storage facility. Refer to Appendix VIIA 'Good management practices for discharging farm dairy effluent to land'.
- Add another pond to the system. This is an inexpensive and simple solution to a herd size increase. The additional pond should be at least half the surface area of the facultative pond (second pond). An alternative is to divide the second pond in two with a curtain wall.
- Increase the size of the pond system.
- Install constructed wetlands. They use water, plants, air, sunlight, and bacteria to further 'polish' pond effluent before it reaches the surface waterway. This is not always successful as the option requires high capital expense and management to work well.
- Consider mechanical aeration. Aerators introduce oxygen to the effluent so that facultative bacteria can more effectively break it down. There are significant operational costs when using mechanical aeration. Compare these to those lesser costs associated with land application systems.
- In an emergency use chemical and biological additives. These control odours and break down crusting and solids. Additives do not reduce the polluting properties of effluent but make it more manageable.
- Desludging of the ponds. Desludging is recommended on an 'as necessary' basis.

## Pond systems

### Pond system design

The pond system is an attractive option for treating effluent because it is:

- Low in cost.
- Simple to install, taking 2 to 3 days to construct.
- Low in maintenance requirements.

The key standard is that effluent from ponds must discharge into receiving waters capable of diluting the effluent by at least 100:1 at the discharge point.

Pond systems have two or more ponds in a series. Effluent is piped to the anaerobic pond (first pond) from the farm dairy sump. The anaerobic pond acts like a septic tank, collecting a sludge on the bottom and slowly breaking down the effluent.

Effluent then flows to the facultative pond (second pond) by a pipe and baffle. In the facultative pond further breakdown occurs. The effluent then passes through an additional treatment or is discharged directly into a waterway.

### Site selection

When choosing a site to construct a pond system, select an area where the water table is deep and the soil is heavy and impermeable. Silt or clay soils are ideal for pond foundations and construction. Avoid building ponds over coarse sands, gravels, fractured rock or other materials that will allow effluent to seep out of the pond or allow groundwater to enter in.

An officer of the Taranaki Regional Council must be present at the time a site is chosen.

- Hygiene: not within 45m of the farm dairy as disease causing micro-organisms may live in the effluent and can pose a risk to both animal and human health. Separation distances for hygiene purposes are specified in the Dairy Industry Farm Dairy Code of Practice.
- Recommended proximity to dwellings: no part of the system to be within 150m of any dwelling house. If possible, site the ponds downwind from dwellings, roads and other public places. The greater the distance from a potential complainant the better.
- Recommended proximity to public roads: no part of the system to be within 20m of any road or farm boundary.
- Allow for a straight run of pipelines, tractors and desludging vehicles to the ponds.
- Site in an open area so as to take advantage of the sun and wind, which assist the efficient operation of the facultative pond and thus improve the quality of the discharge.
- Keep systems away from overhead or underground power lines.

- Avoid sites that are likely to flood, have steep slopes that run towards a waterway, spring or bore hole, are pipe drained or mole ploughed, are likely to freeze over, or have recently been cleared of trees or similarly disturbed.
- Construct the system below the farm dairy so that gravity can be used to carry the effluent.
- Orientate the longest side of the pond at right angles to the prevailing wind.

### Pond sizing

Pond size depends on the loading being applied to the system. Figures 1 and 2 in conjunction with Tables 1 and 2, give the major design recommendations for a pond system. Pond size is based on cow numbers and assumes all stormwater is prevented from entering the ponds (refer 'Improving Existing Effluent Treatment Systems', above).

- Have a length to width ratio of at least 2:1. This maximises the 'flow path' of the effluent, ensuring the effluent is kept within the system as long as possible.
- Keep pond width less than 24m because of the 'reach' limitations of excavator and desludging machinery.
- Orientate ponds with the long axis perpendicular to the prevailing wind. This will maximise the settlement of solids and help minimise intense odours.
- Provide for 500mm freeboard in the design.

### The anaerobic pond

Anaerobic ponds are deep treatment ponds that exclude oxygen and encourage the growth of bacteria which break down the effluent. Construct:

- To a depth of 4m. Depths greater than 4m should be avoided due to limitations of desludging machinery.
- With a small surface area. A small surface area minimises the area in contact with oxygen at the pond surface, reduces heat loss, encourages mixing, promotes the formation of an undisturbed surface layer and minimises the surface area to catch rainfall.

### The facultative pond

Facultative ponds are shallow and contain algae which produce oxygen that is used by bacteria to further break down the effluent. Odours are removed and most disease causing micro-organisms die-off. The larger the surface area of the facultative pond, the better its performance. Construct:

- To no deeper than 1.2m.
- As two smaller ponds rather than having one very large facultative pond when cow numbers in the herd are over 200, or when the pond is likely to be too large for effective desludging and stirring, or when the pond is too long for the site and interferes with existing structures such as fences.

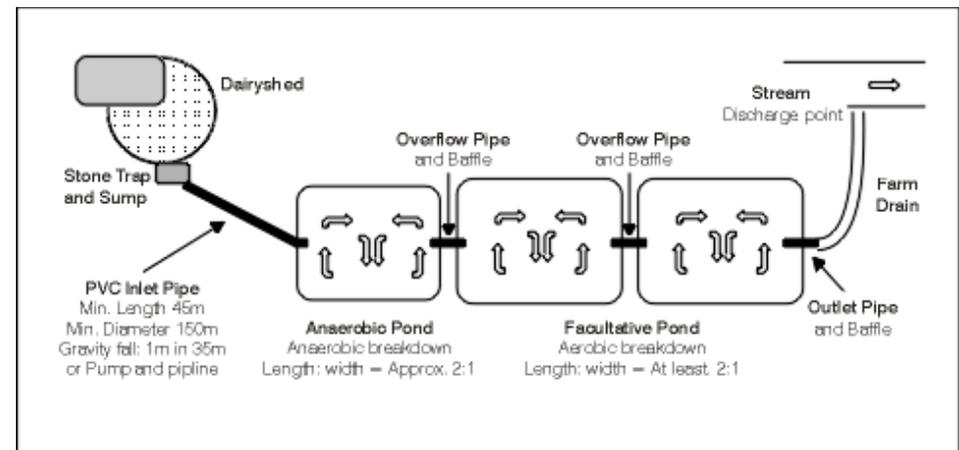


Figure 1 Layout of oxidation pond treatment system

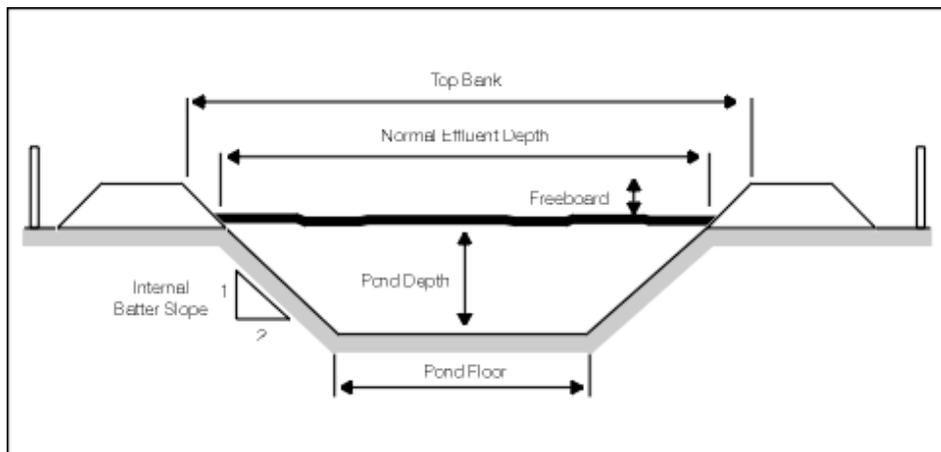


Figure 2 Construction parameters for oxidation ponds

Table 1 Recommended anaerobic pond sizing

Cow	Required	At Normal Effluent Depth			Top Bank	Pond Floor
		Nos	Volume	Depth		
100	525 m <sup>3</sup>	4.0 m	16 m x 19 m	300 m <sup>2</sup>	18 m x 21 m	0 m x 3 m
150	615 m <sup>3</sup>	4.0 m	18 m x 21m	380 m <sup>2</sup>	20 m x 23 m	2 m x 5 m
200	810 m <sup>3</sup>	4.0 m	18 m x 26 m	470 m <sup>2</sup>	20 m x 28 m	2 m x 10 m
250	1000 m <sup>3</sup>	4.0 m	18 m x 31m	540 m <sup>2</sup>	20 m x 33 m	2 m x 15 m
300	1200 m <sup>3</sup>	4.0 m	18 m x 36 m	650 m <sup>2</sup>	20 m x 38 m	2 m x 20 m
350	1390 m <sup>3</sup>	4.0 m	18 m x 41 m	740 m <sup>2</sup>	20 m x 43 m	2 m x 25 m
400	1580 m <sup>3</sup>	4.0 m	22 m x 35 m	770 m <sup>2</sup>	24 m x 37 m	6 m x 19 m

450	1770 m <sup>3</sup>	4.0 m	22 m x 38 m	840 m <sup>2</sup>	24 m x 40 m	6 m x 22 m
500	1970 m <sup>3</sup>	4.0 m	22 m x 42 m	920 m <sup>2</sup>	24 m x 44 m	6 m x 26 m

Note 1: Batter slope on interior bank = 2 : 1.

Note 2: Freeboard = 500 mm.

Note 3: Based on 0.09kg BOD/cow/day

Table 2 Recommended facultative pond sizing

Cow	Required	At Normal Effluent Depth			Top Bank	Pond Floor
		Nos	Surface Area	Depth		
100	370 m <sup>2</sup>	1.2 m	18 m x 21 m	340 m <sup>3</sup>	20 m x 23 m	13 m x 16 m
150	560 m <sup>2</sup>	1.2 m	18 m x 31 m	540 m <sup>3</sup>	20 m x 33 m	13 m x 26 m
200	740 m <sup>2</sup>	1.2 m	22 m x 33 m	720 m <sup>3</sup>	24 m x 35 m	17 m x 28 m
250	*920 m <sup>2</sup>	1.2 m				
300	*1100 m <sup>2</sup>	1.2 m	Build an appropriate combination of			
350	*1280 m <sup>2</sup>	1.2 m	the above ponds to make up			
400	*1570 m <sup>2</sup>	1.2 m	the required surface area.			
450	*1660 m <sup>2</sup>	1.2 m				
500	*1830 m <sup>2</sup>	1.2 m				

Note \*: Perhaps divide this dimension into two smaller facultative ponds.

Note 1: Batter slope on interior bank = 2 : 1.

Note 2: Freeboard = 500 mm for all herd sizes.

Note 3: Based on 0.09kg BOD/cow/day

## Pond construction

A resource consent must be applied for from the Taranaki Regional Council prior to commencing any work on the ponds.

Preferably, build the ponds  $\frac{2}{3}$  above and  $\frac{1}{3}$  below the ground. Pond and embankment construction involves the following:

- (a) Stripping topsoil from the pond area and stockpiling it for replacement later.
- (b) Excavating. Ground conditions should be moist, but not wet, for excavation work.
- (c) Digging a key trench to a firm base, at least 1m deep and 3m wide, beneath the centre of the embankment. The key trench hinders flow of effluent through the ground by lengthening the seepage path, prevents erosion and offers structural stability to the embankment.
- (d) Banking up and compacting the soil, while excavating the pond, to form the pond walls, when ponds are built at least partly above the ground. Poor compaction will lead to effluent seepage and erosion of the embankment by wind and rain.
- (e) Placing layers of suitable graded soil on top of each other to a 200mm depth over the full width.
- (f) Packing the soil tight using suitable equipment. Fill should be compacted over the entire surface after each 200mm soil layer is added. Use water to aid compaction if the soils are too dry. Best compaction is obtained with heavy rubber-tyred vehicles and rollers. Track vehicles are unsuitable as their weight is spread over a large track surface area.
- (g) Building the banks with internal batters of 2:1 slope.
- (h) Building the banks high enough to allow for settling.
- (i) Building the top bank wide enough to allow for vehicle access for maintenance. Widths of between 3.0m and 4.0m are usual.
- (j) Building a loose metal platform to provide access and a firm platform for dredging machinery, pond stirrers and vehicle spreaders. This will prevent erosion of the banks and allow for easy access regardless of the prevailing soil conditions.
- (k) Grading the top bank away from the pond so that stormwater runoff into the pond is prevented.
- (l) Installing a plastic liner if the soil is less than 10% clay.
- (m) Sowing grass to cover the embankment to the water's edge to prevent erosion from sun, wind and rain. Phalaris, ryegrass and clover are suitable species.
- (n) Fencing. A secure perimeter fence is advisable for safety reasons.
- (o) Using buried PVC pipe, of at least 150mm diameter (preferably use 300mm diameter), for carrying effluent to, and between, ponds. Do not use perforated, ribbed drainage coil. Drains are not acceptable. Pipe the effluent towards the pond centre, 6m from the pond edge. Place the outlet at the opposite side of the pond, 1.5m from the far edge.
- (p) Including baffles on outlets. This is very important. Baffles prevent floating solids from moving between ponds. Make sure all pipes and baffles are fixed and do not float upon changing effluent levels.

## Management and maintenance

Plan to first use the ponds at the beginning of the milking season to allow bacteria time to build up over the warm summer months.

- Encourage and maintain grass cover on the banks to prevent erosion, but keep plants short.
- Do not allow trees or shrubs to grow on, or near to, embankments. Tree roots can pierce the embankment causing instability. If trees fall over, or roots die, the embankment will be breached.
- Examine embankments after heavy rain.
- Desludge ponds regularly, as necessary. Never empty out ponds completely or important bacteria will be lost.

## Monitoring the system

The resource consent holder has primary responsibility for monitoring the functioning of the system.

A resource consent that has been issued to allow a discharge to a waterway will usually require that:

- A minimum dilution of 1 part effluent to 100 parts receiving water is maintained at all times.
- An ammonia-N concentration of not more than  $0.025\text{gm}^{-3}$  is maintained at or beyond the downstream boundary of the mixing zone.
- The filtered carbonaceous  $\text{BOD}_5$  concentration does not exceed  $2\text{gm}^{-3}$ .

Any readings above these figures indicate overloading and remedial measures will be necessary. The following visual guides will help identify such a poorly operating pond system:

- Sludge build-up or excessive crusting.
- Bubbling has stopped in the anaerobic pond.
- Discolouration of the receiving waterway.

Where it is suspected that the pond system is operating poorly or the necessary 1:100 dilution cannot be met, consider the options in 'Improving existing effluent treatment systems', above. Also, contact the Taranaki Regional Council.

## References

Heatley, P.R., 1996. "Dairying and the Environment Manual: Managing Farm Dairy Effluent". Dairying and the Environment Committee, New Zealand Dairy Research Institute, New Zealand.

Vanderholm, D.H., 1984. "Agricultural Waste Manual". New Zealand Agricultural Engineering Institute Project Report No. 32. NZAEI, Lincoln College, New Zealand.

## Appendix VIIC

### Good management practices for discharging piggery effluent to land

In the Taranaki region the discharge of piggery effluent on to land is a controlled activity requiring a resource consent. Where there is a failure to comply with conditions outlined in the regional rule regarding discharge of effluent to land then the activity becomes a discretionary activity.

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Taranaki Regional Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

When discharging piggery effluent to land, refer also to the Regional Air Quality Plan for Taranaki Appendix II 'Good management practices for intensive pig farming' for guidance. The discharge should comply with the requirements of the Regional Air Quality Plan for Taranaki.

This appendix contains information relating to the discharge of piggery effluent to land. The material is laid out so that information relating to the treatment and discharge system is addressed first, then information relating to site selection is presented.

#### Improving existing effluent treatment systems

For the land application of piggery effluent to be acceptable, economical and practical the volume of effluent needs to be minimal and it should also be applied in such a way that odour and other nuisances are minimised.

#### Reducing the volume of effluent requiring treatment

Refer to 'Good management practices for discharging farm dairy effluent to land' as many principles apply.

#### Additional Treatments

Since piggery effluent is largely solid in form, provide solid separation, storage, and intermittent land application. Such systems have greater flexibility though at additional cost.

The benefits of solids/liquids separation include pump protection and improved pump performance, decreased loading on storage facilities, production of a liquid that is 'easier to handle', production of a solid by-product that may be useful as a fertiliser, and, if used for irrigation, the liquid will more completely infiltrate the soil.

Composting of the solids may be an option. Refer to 'Good management practices for discharging poultry washwater to land: Improving existing washwater treatment systems'.

#### Effluent collection

Refer to 'Good management practices for discharging farm dairy effluent to land: Effluent collection'.

#### Storage Facilities

Have storage facilities capable of holding 2 days worth of piggery effluent and ensure that any overflow is unable to reach surface water.

For calculating storage requirements, Table 1 gives typical solid piggery effluent production values that can be used as a guideline where there is no recorded data from the farm. Water used for washing down and/or drain flushing is also included in this table.

Total effluent volume is calculated from a total pig weight which equates with the number of 50 kg 'pig equivalents' that comprise that weight.

Both the total solid volume and total volume of washwater may be better arrived at through examining the specific property and washdown system employed.

**Table 1** Typical piggery effluent production values

Parameter	Pig - meal fed	Pig - whey fed
Animal mass kg	50	50
Raw manure - urine faeces l/day	3.3	10.3
Washdown water l/day	12	12

## System selection

Refer to 'Good management practices for discharging farm dairy effluent to land: Land application system selection'.

Because piggery effluent has a powerful odour, the system used should be designed to operate on as low a pressure and spray trajectory as possible, to keep spray drift and aerosol production to a minimum. This is regardless of whether a spray application system or contractor is used. Aerosol production can be a problem causing an odour nuisance. In addition there is a potential for bacterial drift which is particularly important if spraying is carried out near horticultural crops.

A back-up system should be provided for those times when the weather or soil conditions are unsuitable or equipment breaks down. Sufficient storage or an arrangement with the local septic tank cleaning contractor may be all that is required.

## Soil injection

Injecting effluent from a tanker directly down to the root zone of the Plants is an option which minimises odour, and may become more important in the future.

## Land application

### Site selection

When choosing a site to apply effluent to land, select a large enough area, where the water table is deep and the soil is free-draining.

Odour is a major consideration when choosing the application site of piggery effluent.

- Proximity to groundwater: do not apply effluent to land within 50m of any wells or bore used for water supply purposes. Piggery effluent can cause a health risk to people and animals.
- Proximity to surface water: do not apply effluent to land within 25m of a surface water body. If effluent accidentally enters a waterway it may decrease the ability of the waterway to sustain life as well as cause a health risk to people and animals. The regional rule for discharge of piggery effluent to land states that no contaminants shall be discharged to surface water. The direct application of effluent into surface water can result in legal action by the Taranaki Regional Council.
- Recommended proximity to dwellings and public roads: not within 150m of any dwelling house and not within 20m of any road. Effluent can cause a nuisance to the public because of its odour and it may attract flies. Refer also to Table 4 of Appendix II of the Regional Air Quality Plan for Taranaki.
- Recommended hygiene guidelines: well away from public places, cropping paddocks and horticultural blocks as disease causing micro-organisms may live in the effluent and can pose a risk to both animal and human health.

### Area required

The area of land required for spray disposal of piggery effluent is determined by:

- Potassium content of the effluent.
- Soil type and the slope of the land (topography). The soil type and slope dictate the maximum rate at which effluent can be applied and the total volume of effluent applied. Refer below 'Application management'.
- The resting period required between each application.

The key determinant with piggery effluent is potassium. Apply up to 100kg/ha of effluent potassium each year. Table 2 gives the area required for various herd sizes.

**Table 2** Area required with a loading rate of 100kg K/ha/yr

Combined Pig Weight (kg)	Area Required (ha)
500	0.55
5000	5.50
10000	11.00

A herd of 200 sows weighing 125kg each would require a minimum of 27.5 hectares so as not to exceed a 100kg K/ha/year loading rate.

### Fertiliser Value

The fertiliser value of piggery effluent is significant. Tables 3 and 4 give the nutrient content of wastes from pigs. They are typical nutrient values based on a 50 kg pig equivalent on a daily and annual basis. Note, however, that the fertiliser value of effluent from a single property will vary with feed type. Also, effluent stored in ponds changes in nutrient content.

**Table 3** Nutrient value of effluent from a typical 50kg pig

Nutrient	kg/pig/day	kg/pig/year
Nitrogen	0.023	8.40
Phosphorus	0.0075	2.74
Potassium	0.015	5.48

**Table 4** Equivalent fertiliser value of effluent from a herd of 5000kg of combined pig weight (e.g. 40 125kg sows)

Nutrient (kg/year)			Solid Fertiliser Equivalent (tonnes/year)
N	P	K	
840			1.8 of Urea
	270		3.0 of Superphosphate
		550	1.1 of Muriate of Potash

### Application management

Avoid generating odour which may become a nuisance to neighbours.

Avoid causing runoff of piggery effluent from the property by not applying effluent to slopes or when it is raining.

Mechanical systems for effluent application should include a back-up system in case of breakdown of the primary system. This may take the form of adequate storage.

Refer to 'Good management practices for discharging farm dairy effluent to land: Application management'.

### Management and maintenance

#### General Tips

Effluent should be screened to remove solids, reduce blockages, and minimise wear and tear. Spray applicators should be flushed after use to reduce blockages.

Where possible, effluent should be spread on bright days when the wind is blowing away from sensitive areas.

Avoid overdosing the land with effluent. If not, the odour will remain much longer and pasture scorching may result.

### Manure applied off-farm

When applying effluent to fertilise a neighbour's property, ensure that the operation and design is subject to a written agreement between all parties involved including the Taranaki Regional Council.

### Monitoring the system

The resource consent holder is primarily responsible for monitoring the functioning of the system.

Refer to 'Good management practices for discharging farm dairy effluent to land: monitoring the system' as principles apply.

Where it is suspected that the land application system is operating poorly, also consider the options in 'Improving existing effluent treatment systems', above and contact the Taranaki Regional Council.

## References

Heatley, P.R., 1996. "Dairying and the Environment Manual: Managing Farm Dairy Effluent". Dairying and the Environment Committee, New Zealand Dairy Research Institute, New Zealand.

Vanderholm, D.H., 1984. "Agricultural Waste Manual". New Zealand Agricultural Engineering Institute Project Report No. 32. NZAEI, Lincoln College, New Zealand.

## Appendix VIID

### Good management practices for discharging poultry washdown water and poultry effluent to land

In the Taranaki region the discharge of poultry washdown water on to land is a controlled activity requiring a resource consent. Where there is a failure to comply with conditions outlined in the regional rule regarding discharge to land then the activity becomes a discretionary activity.

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Taranaki Regional Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

When discharging poultry washdown water and poultry effluent to land, refer also to the Regional Air Quality Plan for Taranaki Appendix III 'Good management practices for intensive poultry farming' for guidance.

This appendix contains information relating to the discharge of poultry washdown water and poultry effluent to land. The discharge of poultry washdown water is addressed first, followed by the discharge of poultry effluent. The material is laid out so that information relating to the treatment and discharge system is addressed first, then information relating to site selection is presented.

### Discharge of poultry washdown water to land

#### Washdown procedures

Washdown water should not normally have detergents, sanitisers or disinfectants added, as these could give rise to contamination of the soil and groundwater. If chemicals are to be used, then only biodegradable products should be considered.

Stock and shed management requires emphasis on the avoidance of damp and poor litter conditions, which will leave a higher level of organic material to be washed out, and therefore a higher contaminant load in the washdown water.

Litter cleaning out should be as complete as possible, with residues and surface dust being blown down and collected along with the litter, prior to washdown. Litter should be removed from the end pad as quickly as possible after cleaning out.

Washdown procedures should follow an accepted practice which minimises any adverse effect of excess water ponding, or the discharge of water with high solid and organic loadings without a collection system in operation.

Washdown water must not be mixed with stormwater for discharge into or near waterways. This is not a permitted activity and can only be done under a specific consent issued by the Taranaki Regional Council.

#### Planned new establishments

The site position and layout should be designed to cater for good drainage and disposal of both stormwater and washdown water in such a manner that washdown water and stormwater contaminated by roof dust cannot reach surface water. Where possible roof fans should not be used in order to reduce the contamination of stormwater.

Site position and layout should include good sized sloping end pads above the relative level of the adjacent ground, with surrounds designed to cater for collection of any solid waste material, and coarse grade road metal at the edges to ease the soakage of water.

A sump collection system may be required if the discharge into or onto land is liable to soak into an area close to a surface waterbody. All discharges of poultry washdown water will be required to obtain a resource consent under Rule 37 of the Plan.

Roof and site stormwater should be able to be disposed of, if necessary, into local surface waterbodies, or into or onto land, provided that the conditions of Rule 23 of the Plan are met.

Interior shed construction should be designed in such a way that there are smooth impervious floors and wall/roof linings, for ease of physical cleaning as well as for effective washing. Equipment and fittings should not have cavities and hard-to-get-areas which would leave organic material in place after physical cleaning, as this will increase the contaminants present in the washdown water.

### Existing establishments

Existing establishments should follow an upgrading programme to match the requirements outlined above for new establishments as far as practicable, especially for floor and wall surfaces, as well as end pads and ground drainage.

All discharges of poultry washdown water will be required to obtain a resource consent under Rule 37 or 38 of the Plan.

## Discharge of poultry effluent to land

### Improving existing effluent treatment systems

For the land application of poultry effluent to be acceptable, economical and practical the effluent should be applied in such a way that odour and other nuisances are minimised.

### Reducing the volume of poultry effluent requiring treatment

Poultry effluent is largely solid in form and the cleaning of poultry is not usually a daily task. Hence, liquid storage is less important than for other animal wastes as collection can be carried out on those days where it is appropriate to immediately apply the effluent to land. However, ensure any collection facility can cope with the total volume of effluent produced on the day of cleaning.

There is very little opportunity to reduce the volume of solid waste that is produced in a effluent situation. However, use manual scrapers and squeegees, and shovel off solids to speed up the cleaning method and minimise the amount of effluent. The build-up of solid manure can then be quickly washed into the sump or carried to a storage area used for composting.

For design purposes, the volume of effluent generated for treatment is best estimated through examining the specific property and effluent system employed.

### Additional treatments

Direct land application of poultry effluent requires careful Planning and monitoring to avoid environmental degradation.

Solids can be composted. Mechanically separate solids out of poultry effluent, giving a liquid fraction that can be easily pumped, and a solid fraction. Separator types can utilise perforated screens or perforated belts against which effluent is squeezed or screwed. Vibrating screens can separate a liquid fraction. Other separator types use the principle of centrifugation. Regardless, the separated solids are either immediately spread on land or composted and spread on land. The most common application method of dried solids is topdressing with a bulk spreader.

Refer also to paragraph (p) of Appendix III of the Regional Air Quality Plan for Taranaki for further advice on good management practices for the spreading of solids.

Off site removal to commercial processors such as composting/pelleting operations, the nursery industry and market gardens is also an option.

### Effluent collection

Refer to 'Good management practices for discharging farm dairy effluent to land: Effluent collection'.

Stone or sand trap arrangements are particularly important to hold back feathers, dead birds and other animal litter which may block pumps and pipelines.

Provide for solids separation and composting, and intermittent land application of liquids.

### System selection

Refer to 'Good management practices for discharging farm dairy effluent to land: Land application system selection'.

Spray application will require the use of pumps specifically constructed to pump poultry effluent (e.g. feathers). These are available from manufacturers.

Because poultry effluent may have a powerful odour, the system used should be designed to operate on as low a pressure and spray trajectory as possible, to keep spray drift and aerosol production to a minimum. This is regardless of whether a spray application system or contractor is used. Aerosol production can be a problem causing an odour nuisance. In addition there is a potential for bacterial drift which is particularly important if spraying is carried out near horticultural crops.

## Land application

### Site selection

When choosing a site to apply effluent to land, select a large enough area, where the water table is deep and the soil is free-draining.

- Proximity to groundwater: not within 50m of any well or bore used for water supply purposes. Poultry effluent can cause a health risk to people and animals.
- Proximity to surface water: not within 25m of a surface water body. If effluent accidentally enters a waterway it may decrease the ability of the waterway to sustain life as well as cause a health risk to people and animals. The regional rule for discharge of poultry effluent to land states that no contaminants shall be discharged to surface water. The direct discharge of effluent into surface water can result in legal action by the Taranaki Regional Council.
- Recommended hygiene guidelines: well away from public places, cropping paddocks and horticultural blocks as disease causing micro-organisms may live in the effluent and can pose a risk to both animal and human health.
- Recommended proximity to dwellings and public roads: not within 150m of any dwelling house and not within 20m of any road. Effluent can cause a nuisance to the public because of its odour and it may attract flies.

### Application management

Avoid causing runoff of poultry effluent from the property by not applying washwater to slopes or when it is raining.

Refer to 'Good management practices for discharging farm dairy effluent to land: Application management' as general principles apply.

## Management and maintenance

### General Tips

Where possible, effluent should be spread on bright days when the wind is blowing away from sensitive areas. Avoid overdosing the land with effluent, otherwise the odour will remain much longer.

### Monitoring the system

The resource consent holder is primarily responsible for monitoring the functioning of the system.

Refer to 'Good management practices for discharging farm dairy effluent to land: Monitoring the system' as principles apply.

Where it is suspected that the land application system is operating poorly, also consider the options in 'Improving existing effluent treatment systems', above and contact the Taranaki Regional Council.

## References

Heatley, P.R., 1996. "Dairying and the Environment Manual: Managing Farm Dairy Effluent". Dairying and the Environment Committee, New Zealand Dairy Research Institute, New Zealand.

Vanderholm, D.H., 1984. "Agricultural Waste Manual". New Zealand Agricultural Engineering Institute Project Report No. 32. NZAEI, Lincoln College, New Zealand.

# Appendix VIII

## Guidelines for groundwater bores and wells

## Construction

Bores used for water supply are normally constructed by drilling, either by augering, the cable-tool method or by the rotary method. Wells are usually augered or dug.

## Drilling fluids

Drilling fluids are used to stabilise drilling and completion operations. The following types of drilling fluids are acceptable for water bore drilling:

- free water-based drilling fluids;
- natural drilling fluids;
- air based drilling fluids.

Additives to drilling fluids that are acceptable for water bore drilling are classified as follows:

### **Dissolved additives**

- (a) Mud-thinning agents, inorganic phosphates;
- (b) Surfactants, drilling detergents, and foaming agents.

### **Non-dissolved additives**

- (a) Native solids (clays and sand);
- (b) Bentonite;
- (c) Density increasing materials;
- (d) Loss-circulating materials (not to be used in the production zone).

The contractor shall record drilling fluid properties (when used) on the well completion form.

## Bore casings

The selection of bore casings is left to the contractor unless otherwise specified by the purchaser.

Permanent bore casings must be continuous and watertight from top to bottom. Inert casing should be used when saline groundwater and corrosive conditions are known to exist.

### **Joints**

Casing joints must be appropriate to achieve a continuous watertight seal from top to bottom of the casing string. Typical joints include welded or threaded steel or PVC.

### **Casing installation**

The method of casing installation shall be at the option of the drilling contractor, provided the installation meets the requirements of Policy 6.5.1. In all cases, casing must be sealed to prevent aquifer cross-contamination and aquifer contamination from the surface.

### **Seating and sealing of casing**

- (a) Seating in consolidated rock

In consolidated formations, if steel casing is used, the casing can be seated by driving it into the surface until a seal is obtained.

- (b) Sealing in open hole

Casing in an open hole must be cemented into casing to create a seal and to maintain the structural integrity of the bore.

## Completion of the headworks

At all times during the progress of the work, the contractor shall use reasonable precautions to prevent either tampering with the bore or the entrance of foreign material or water into the bore.

The completion of the bore or well headworks must be consistent with Policy 6.5.1 to prevent aquifer contamination from the surface. This may be achieved by:

- extending the height of casing above the ground at least 0.3m;
- sloping the ground away from the bore casing to prevent run-off from entering the bore;
- capping the bore, allowing only an access port for a 20mm diameter groundwater probe;
- concreting and sealing around the outer annulus of the casing at the surface.

## Screens

The selection of screens is up to the contractor unless otherwise specified by the purchaser. It is recommended that all available information on the aquifer is evaluated for proper bore design. The screen required to ensure a highly efficient bore is determined by the thickness and hydrologic character of the aquifer. It is recommended that:

- (a) Screen diameter – the minimum size that will maintain an entrance velocity of 0.03 – 0.45m/s or less;
- (b) Screen length – the minimum length is determined by the following formul

$$L = \frac{Q}{7.48AV}$$

Where:

L = length of screen in metres

Q = quantity specified by the purchaser, in litres/second

A = effective aperture area per metre of screen, in square metres

V = design, entrance velocity, in metres/second

## Grouting and sealing

Sealing consists of filling the annular space between the casing and the bore hole with a substance that forms a seal. In accordance with Policy 6.5.1, the bore must be sealed to prevent the entrance of water from any other source other than the aquifers selected or to prevent the passage of water outside the casing.

## Surface seal

The annular space around the conductor and/or bore casing and the bore hole, from the surface to a designated depth should be grouted.

## Sealing of selected zones

All aquifers, including the water table, which are not the target aquifer must be sealed off outside the casing to prevent leakage.

## Bore development

Bore development consists of the application of appropriate techniques designed to bring the bore to its maximum production capacity so as to optimise the bore efficiency, specific capacity, stabilisation of aquifer material and control of suspended solids.

It is recommended that the test pump capacity exceeds that of the final capacity of the bore and that the test pump is set in excess of the anticipated pump level.

## Abandonment of test holes and disused bores

Test holes, partially completed bores and disused bores need to be sealed to:

- (a) eliminate physical hazards;
- (b) prevent contamination of groundwater;
- (c) conserve yield and hydrostatic head of aquifers;
- (d) prevent aquifer cross-contamination (inter-aquifer flow).

The guiding principle to be followed by the contractor in sealing abandoned bores is the restoration, as far as feasible, of the controlling geological conditions before the bore was drilled.

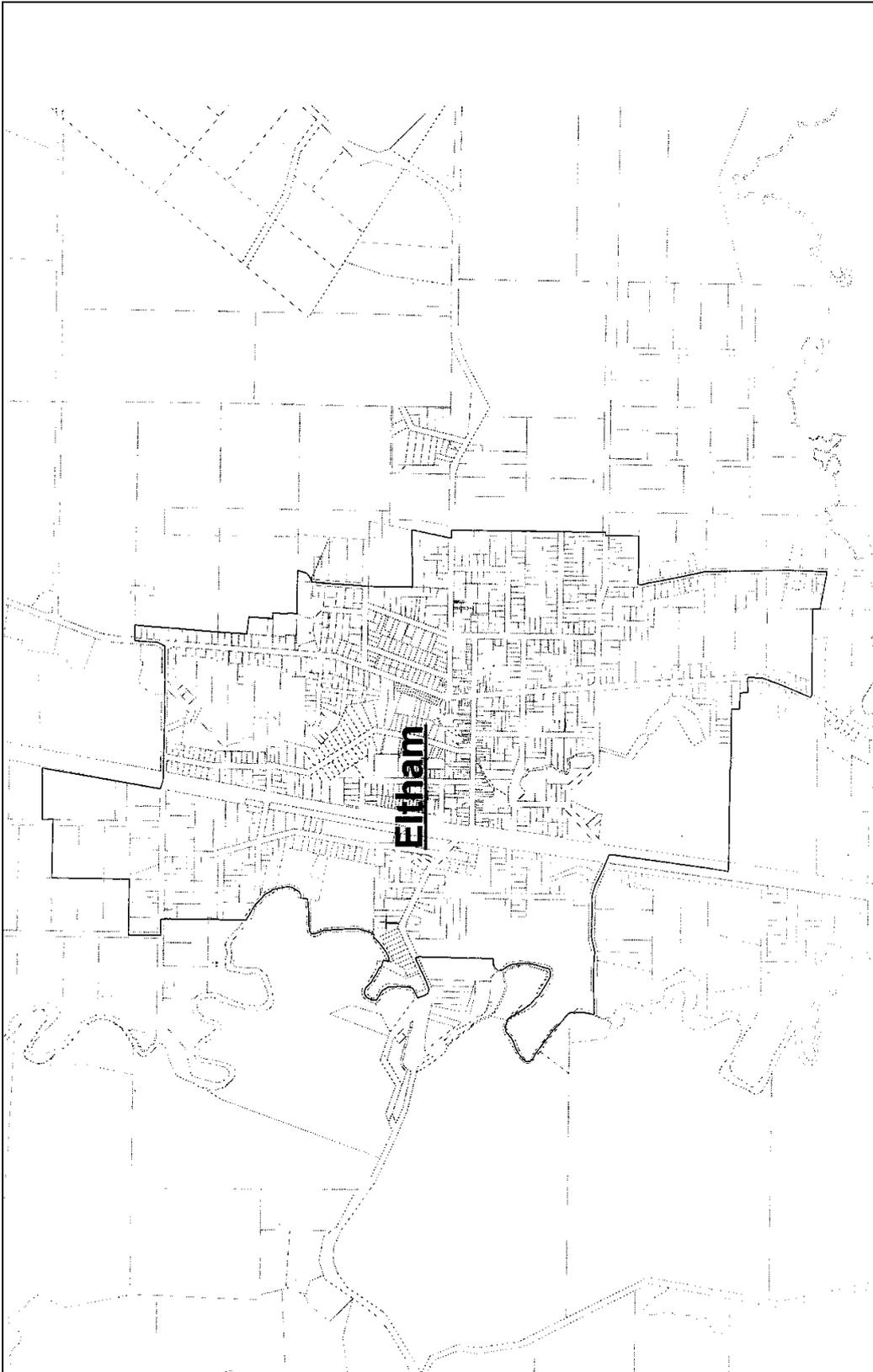
Where possible, casing should be removed. Concrete cement grout or sealing clay should be used as sealing materials. No part of the bore should be left as an open hole. Fill material should consist of clean sand, coarse stone, clay or backfill. The groundwater discharge from flowing bores must be controlled by cement grout before sealing. All bores should be sealed at the ground surface.

Records should be kept and supplied to the Taranaki Regional Council of abandonment procedures, including groundwater conditions, depths sealed and backfilled and materials used.



## Appendix IX

### Maps of defined urban catchments



**Figure 1:** Eltham Defined urban catchment.

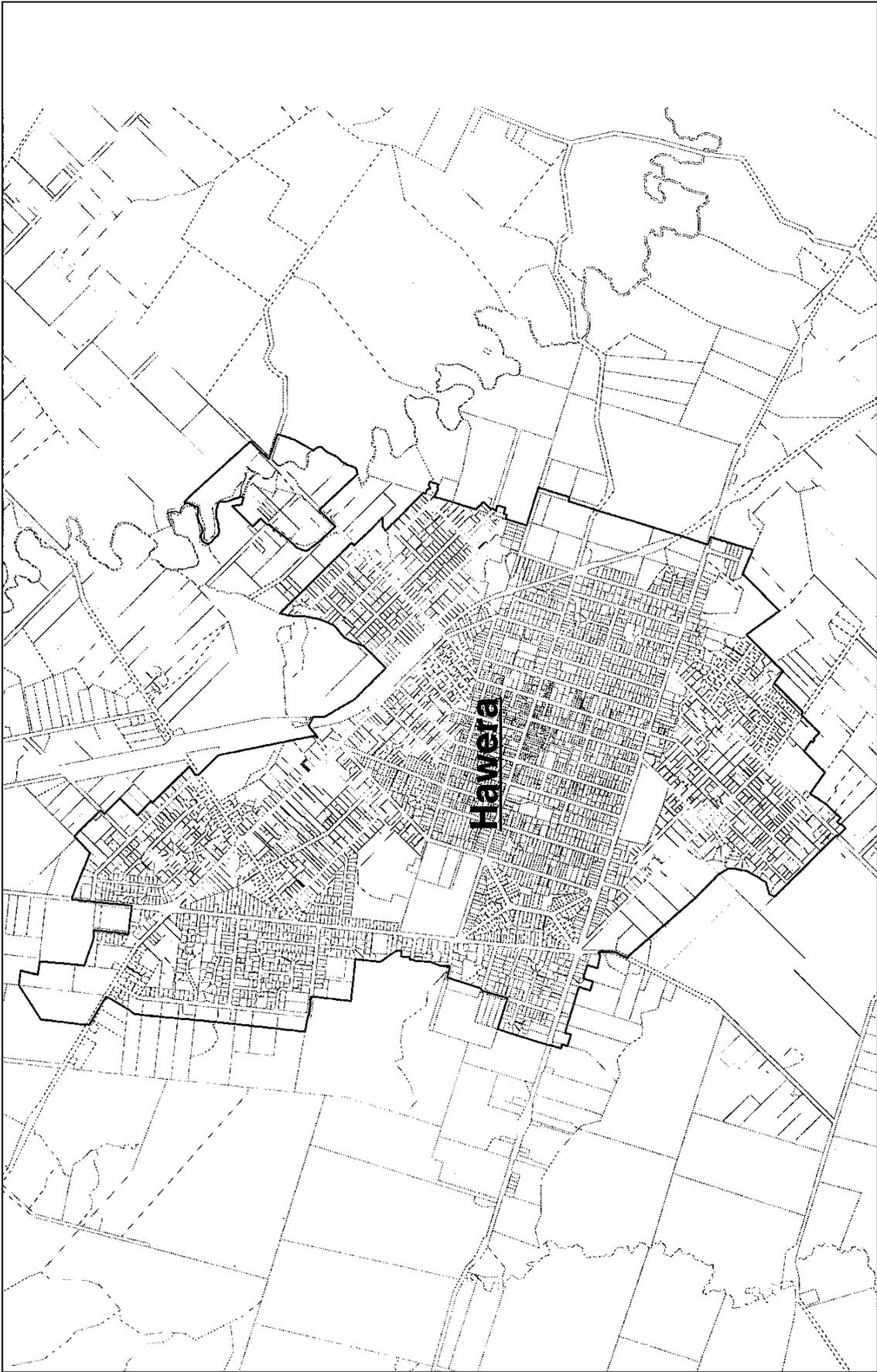


Figure 2: Hawera Defined urban catchment.

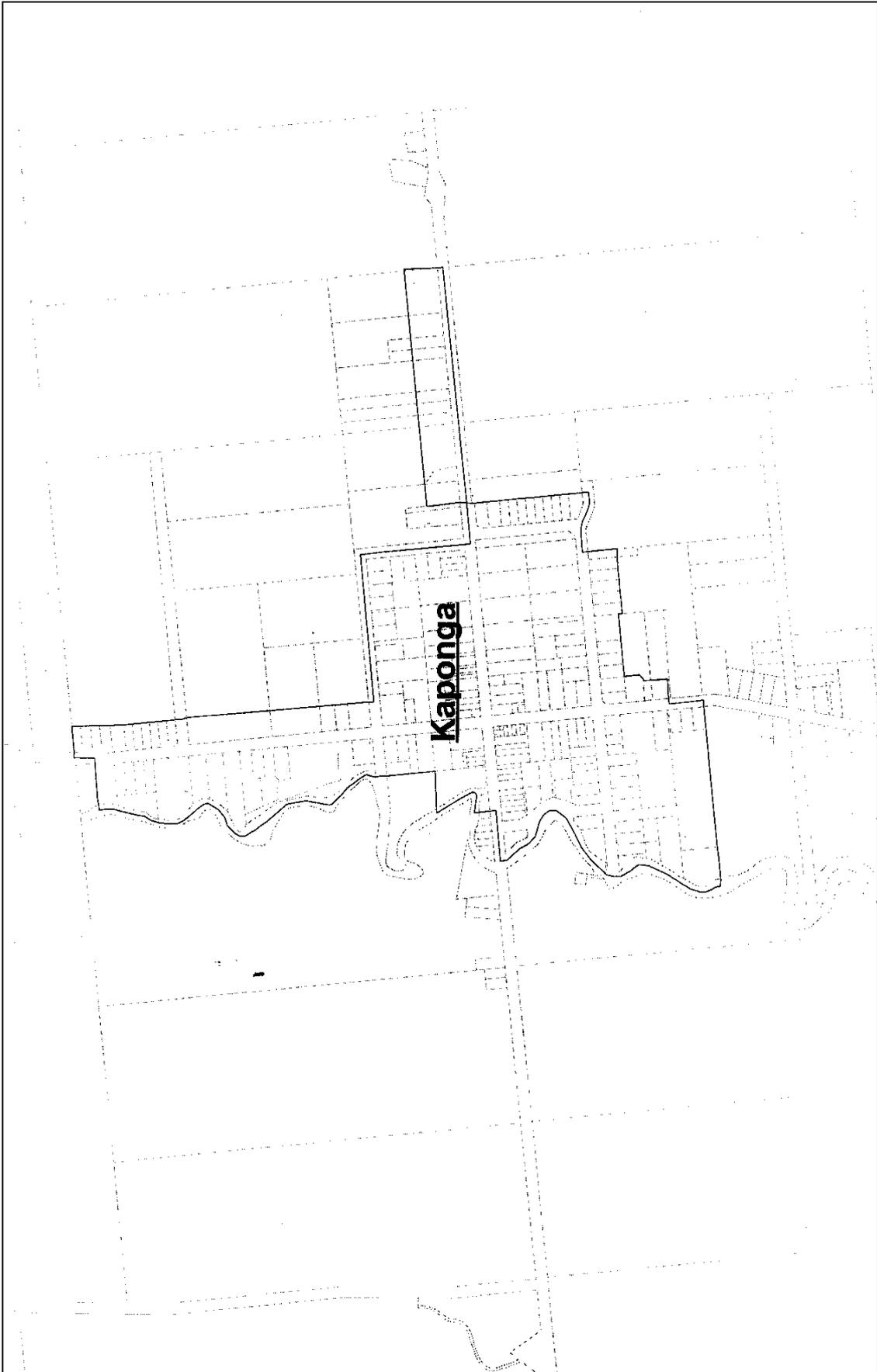


Figure 3: Kaponga Defined urban catchment.

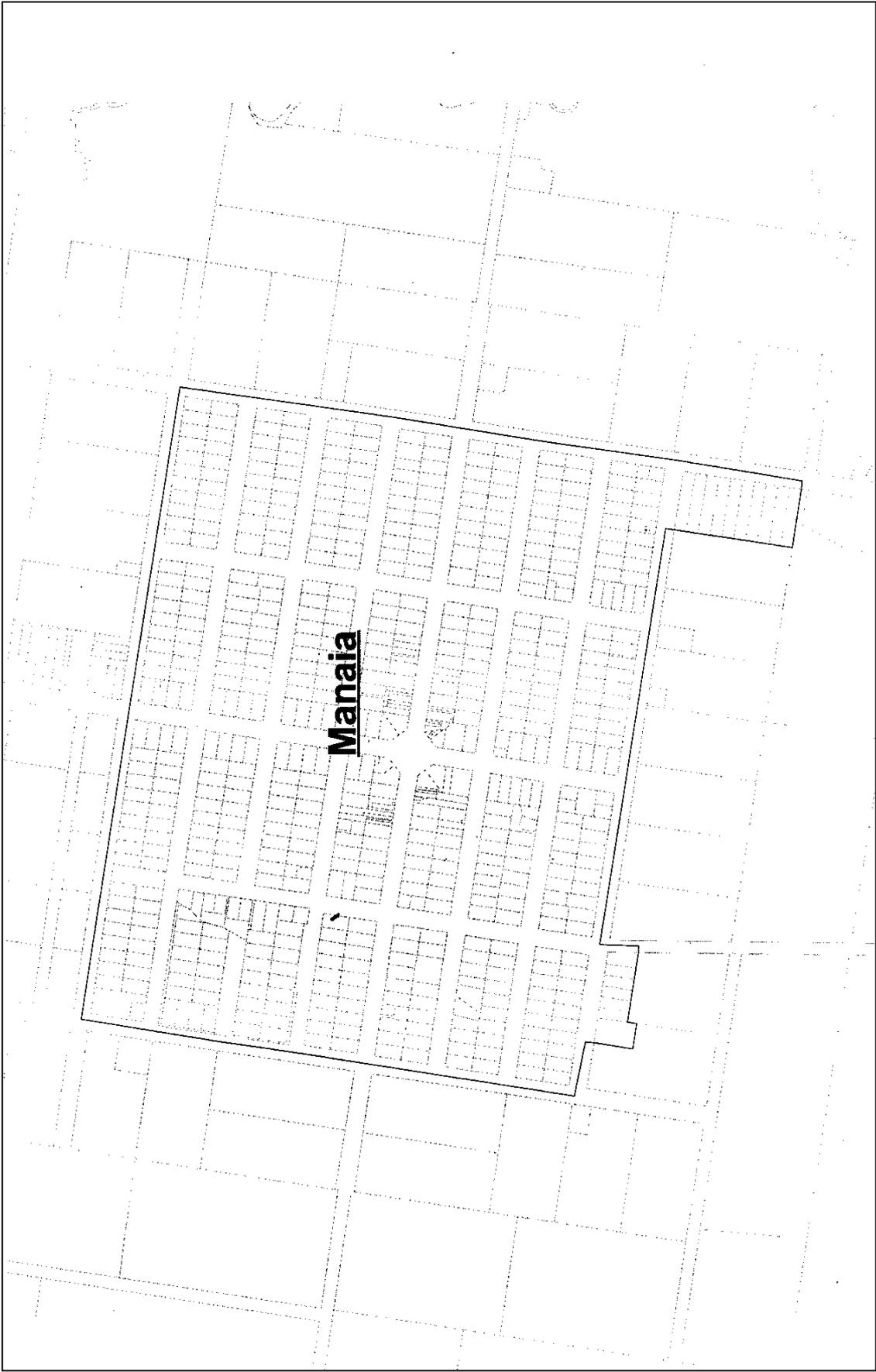


Figure 4: Manaia Defined urban catchment.

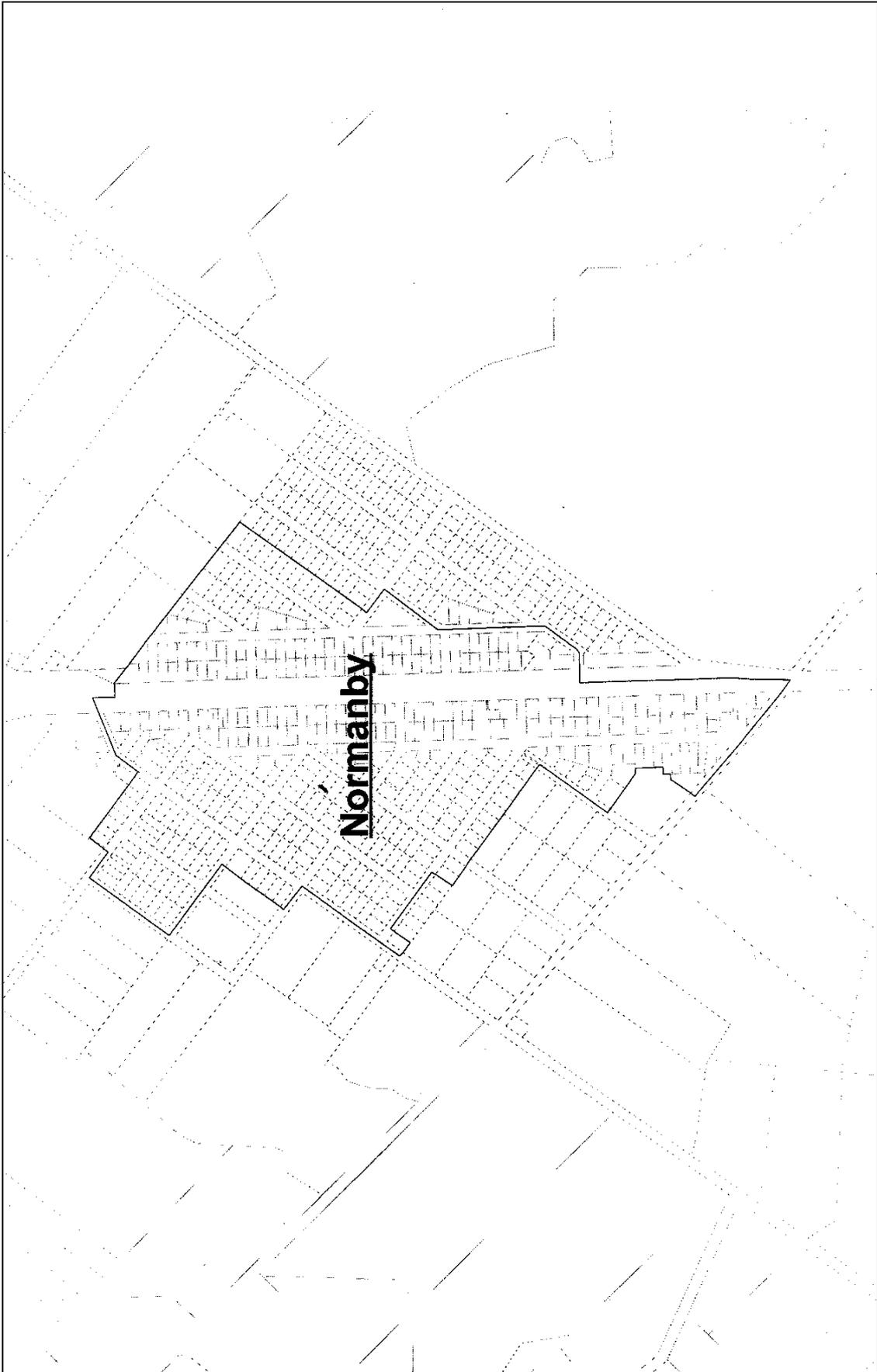


Figure 5: Normanby Defined urban catchment.

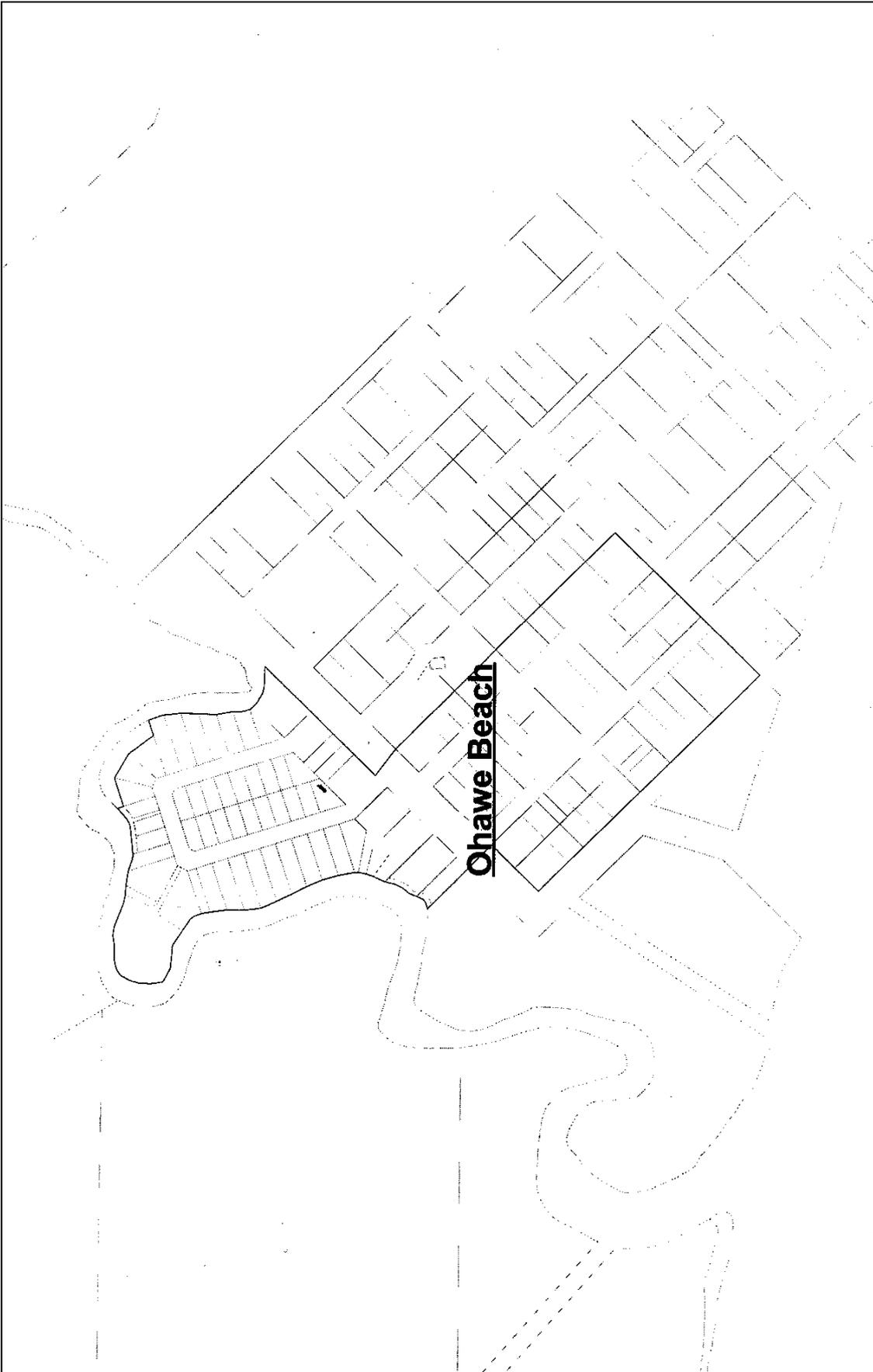


Figure 6: Ohawe Beach Defined urban catchment.

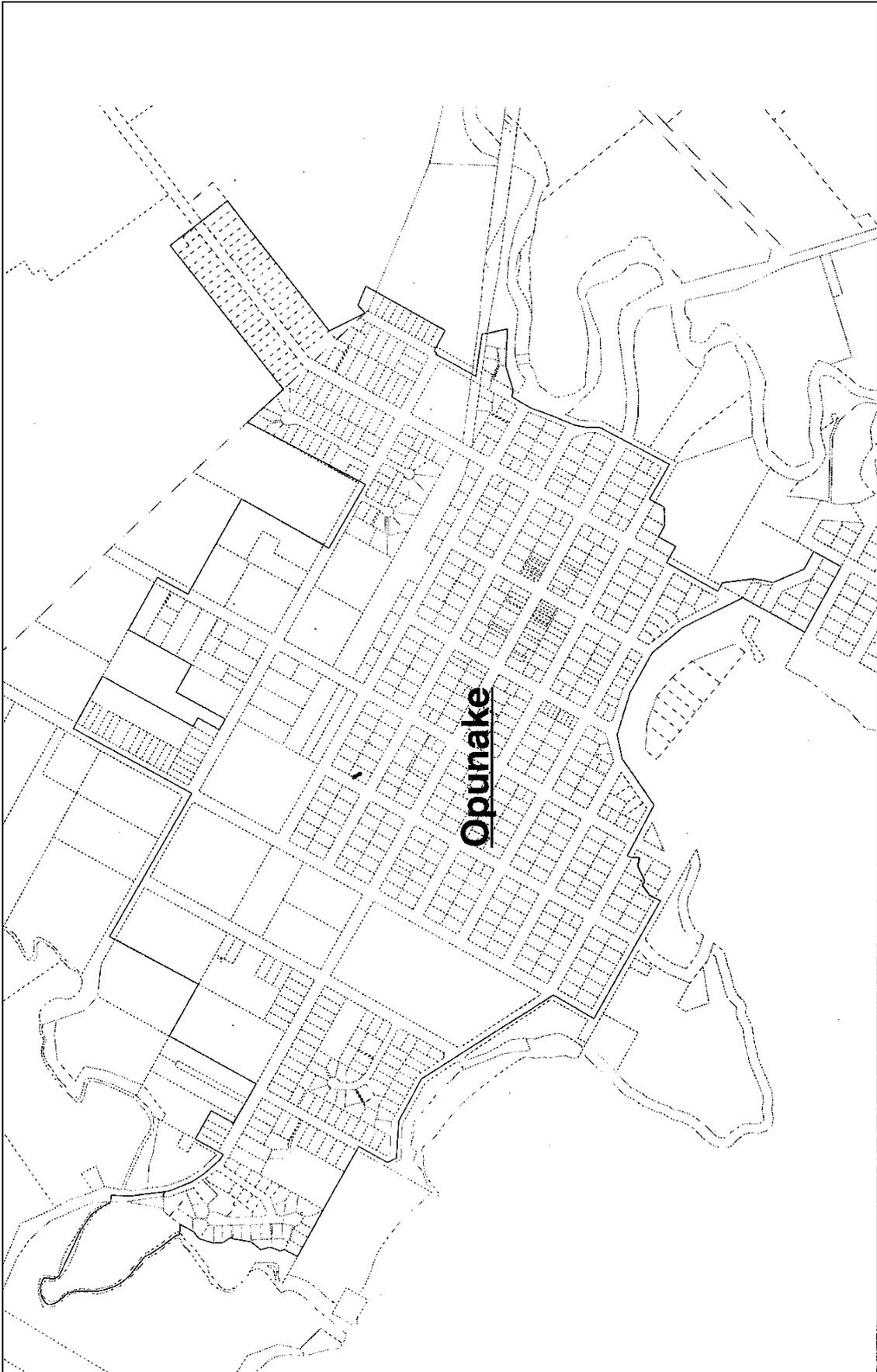


Figure 7: Opunake Defined urban catchment.

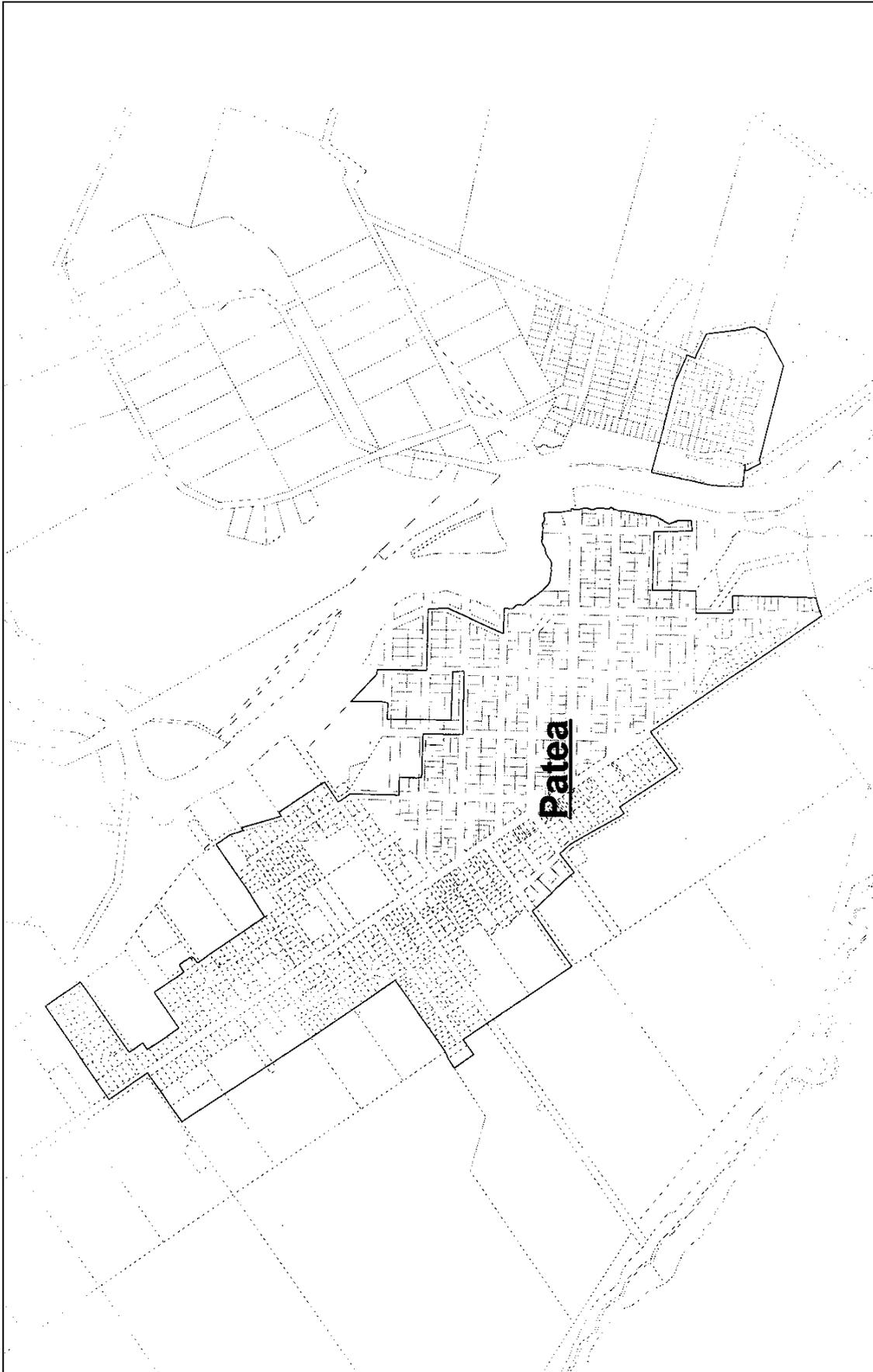


Figure 8: Patea Defined urban catchment.



Figure 9: Waverley Defined urban catchment.

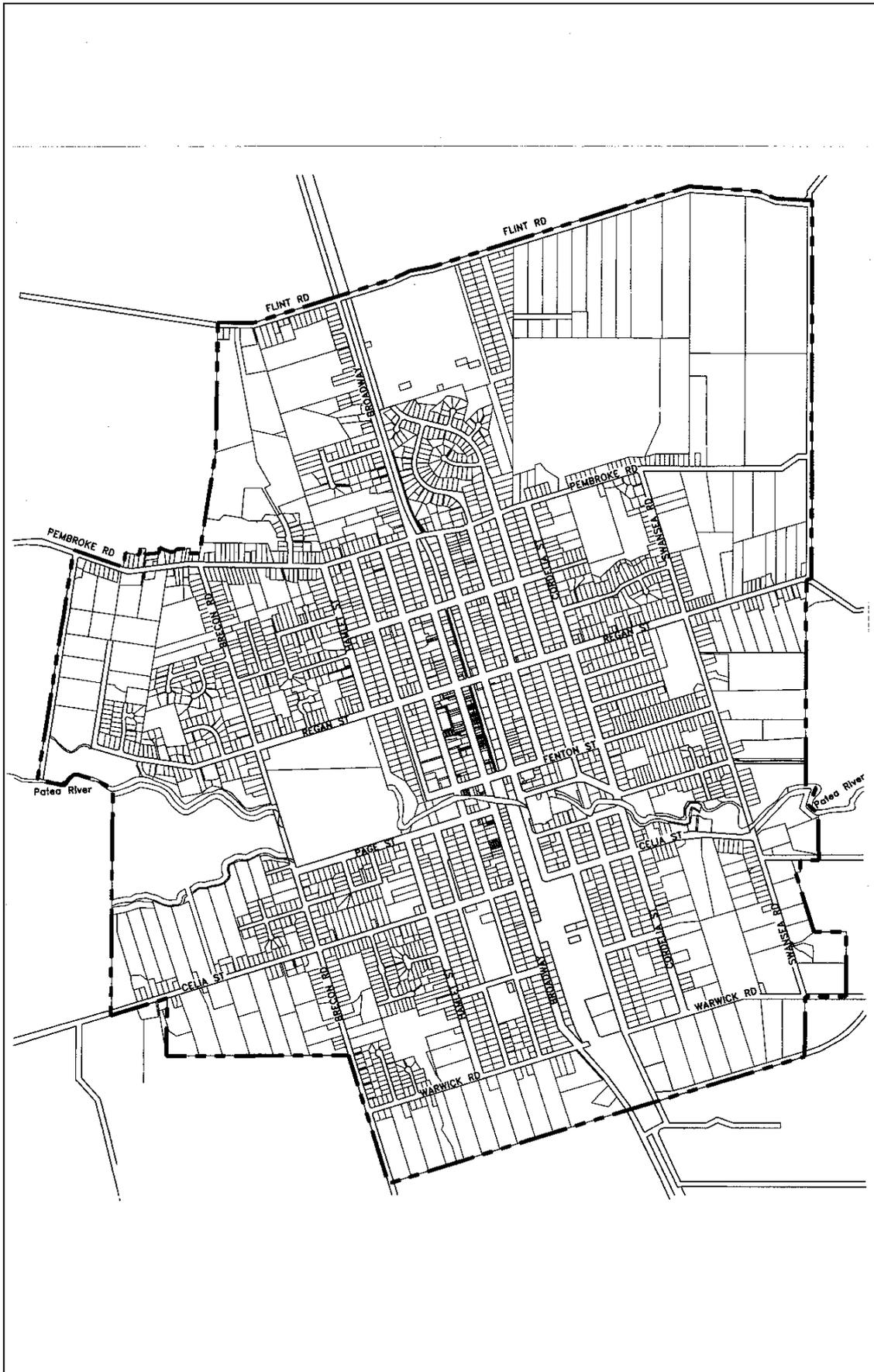


Figure 10: Stratford Defined urban catchment.

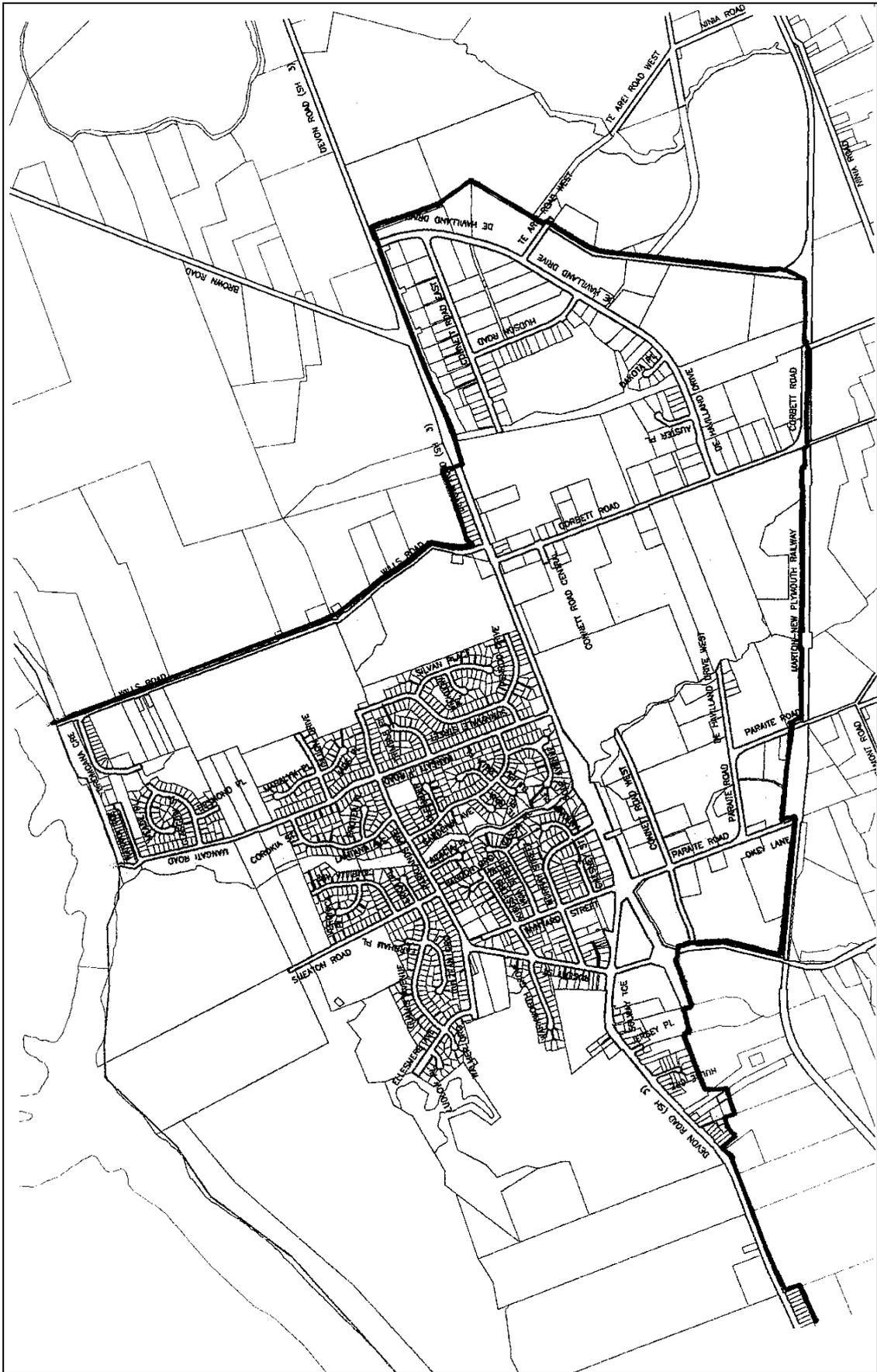


Figure 11: Bell Block Defined urban catchment.

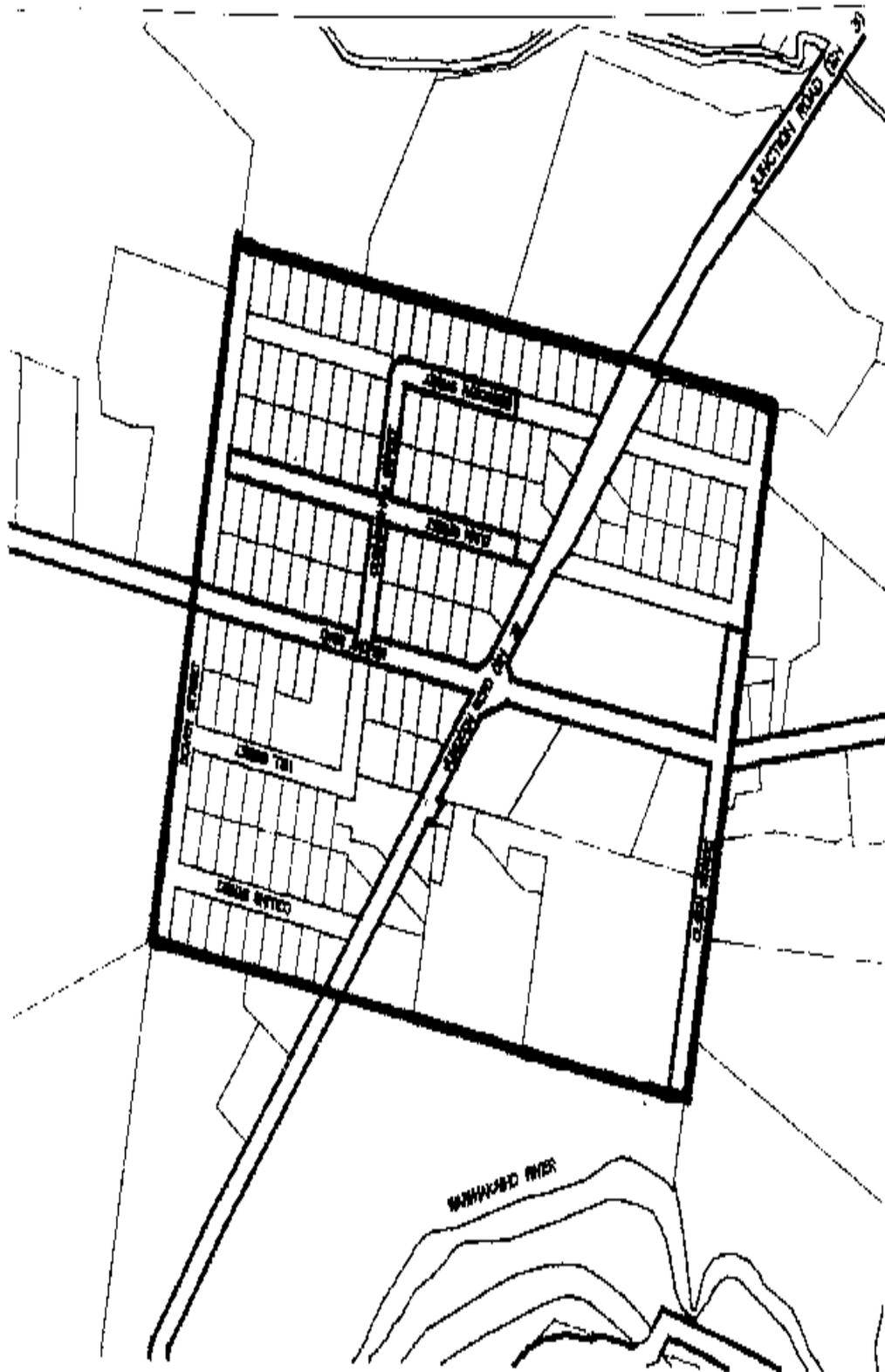


Figure 12: Egmont Village Defined urban catchment.



Figure 13: Inglewood Defined urban catchment.

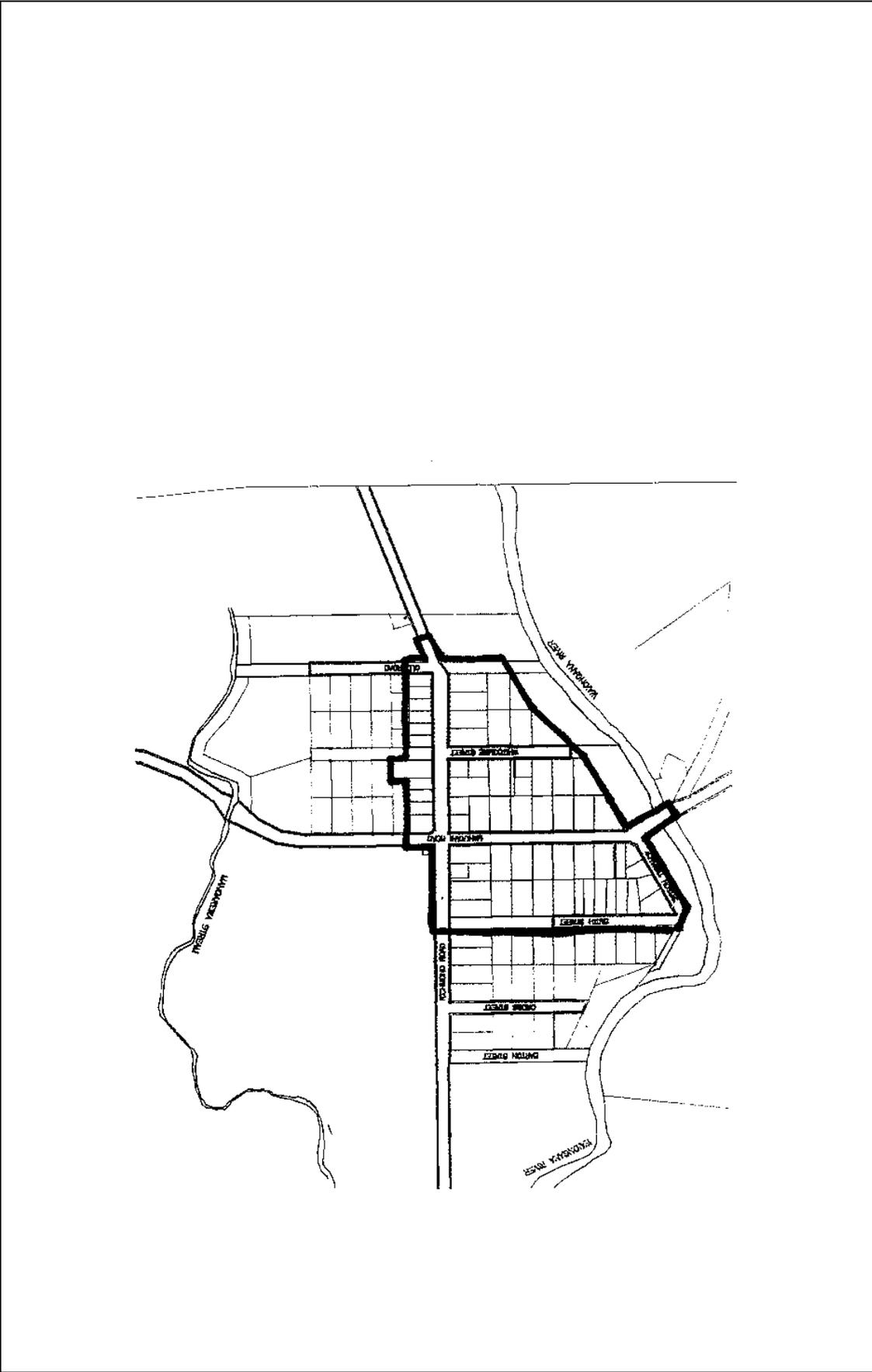


Figure 14: Lepperton Township Defined urban catchment.

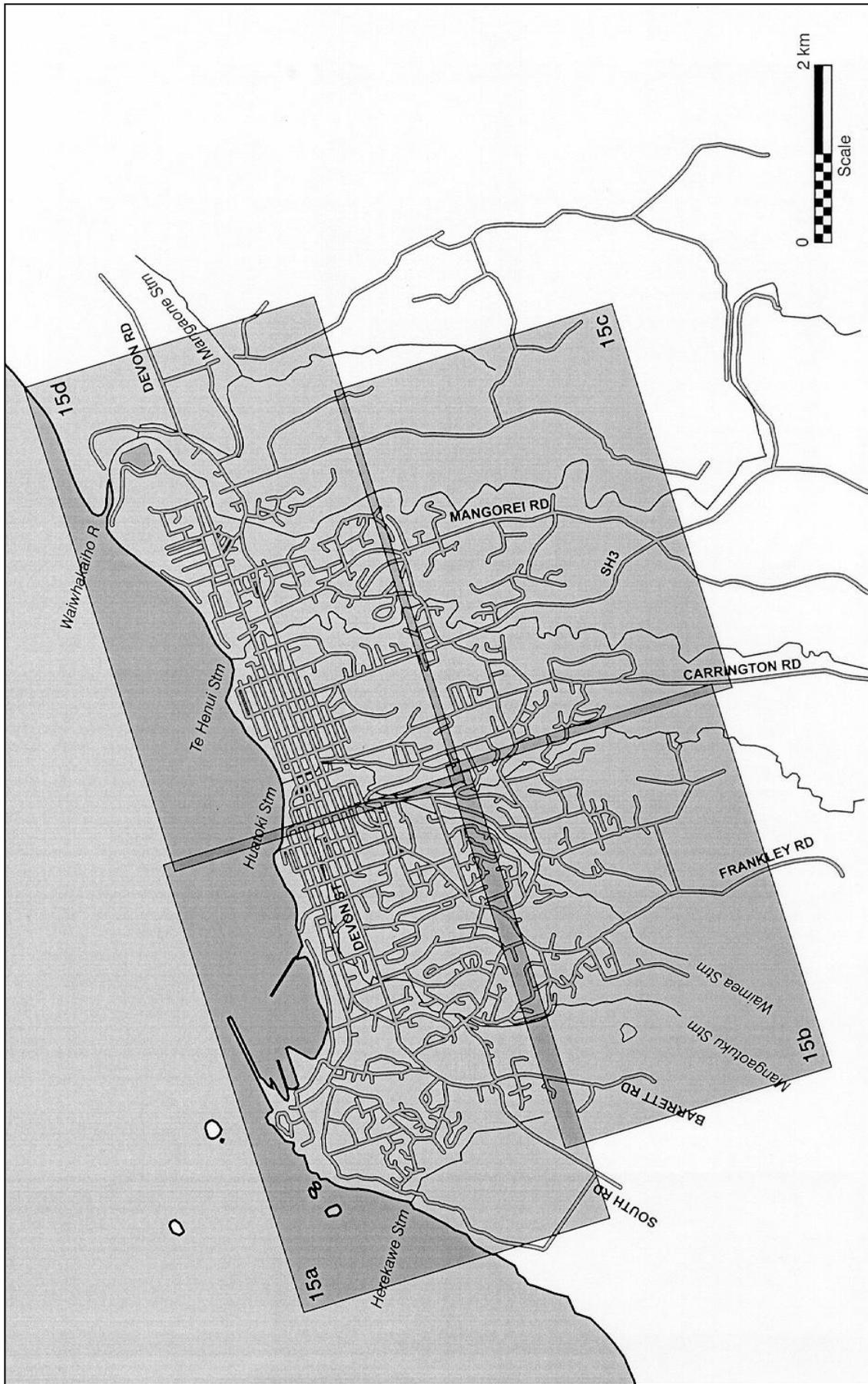


Figure 15: New Plymouth Defined urban catchment.



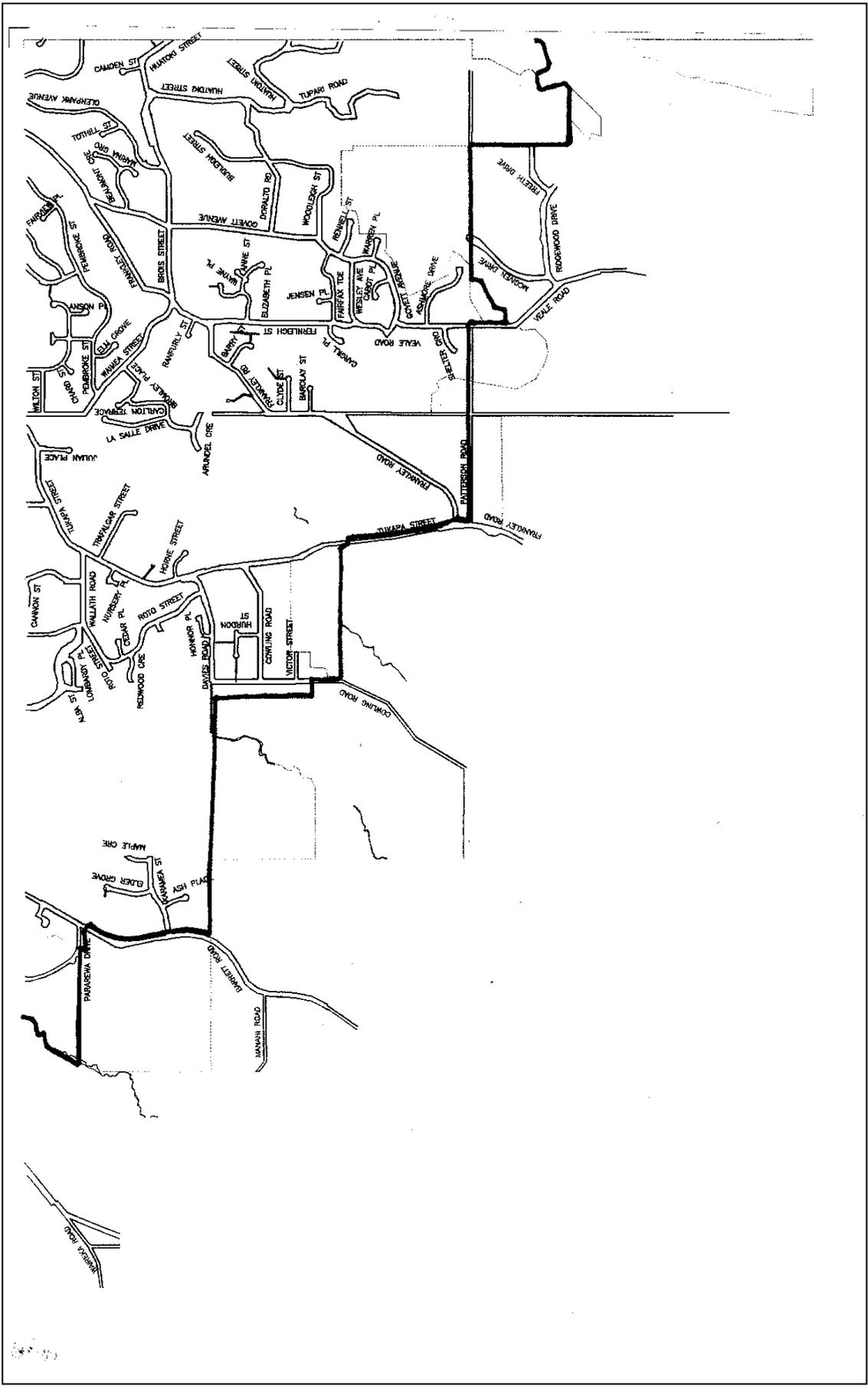


Figure 15b: New Plymouth Defined urban catchment.

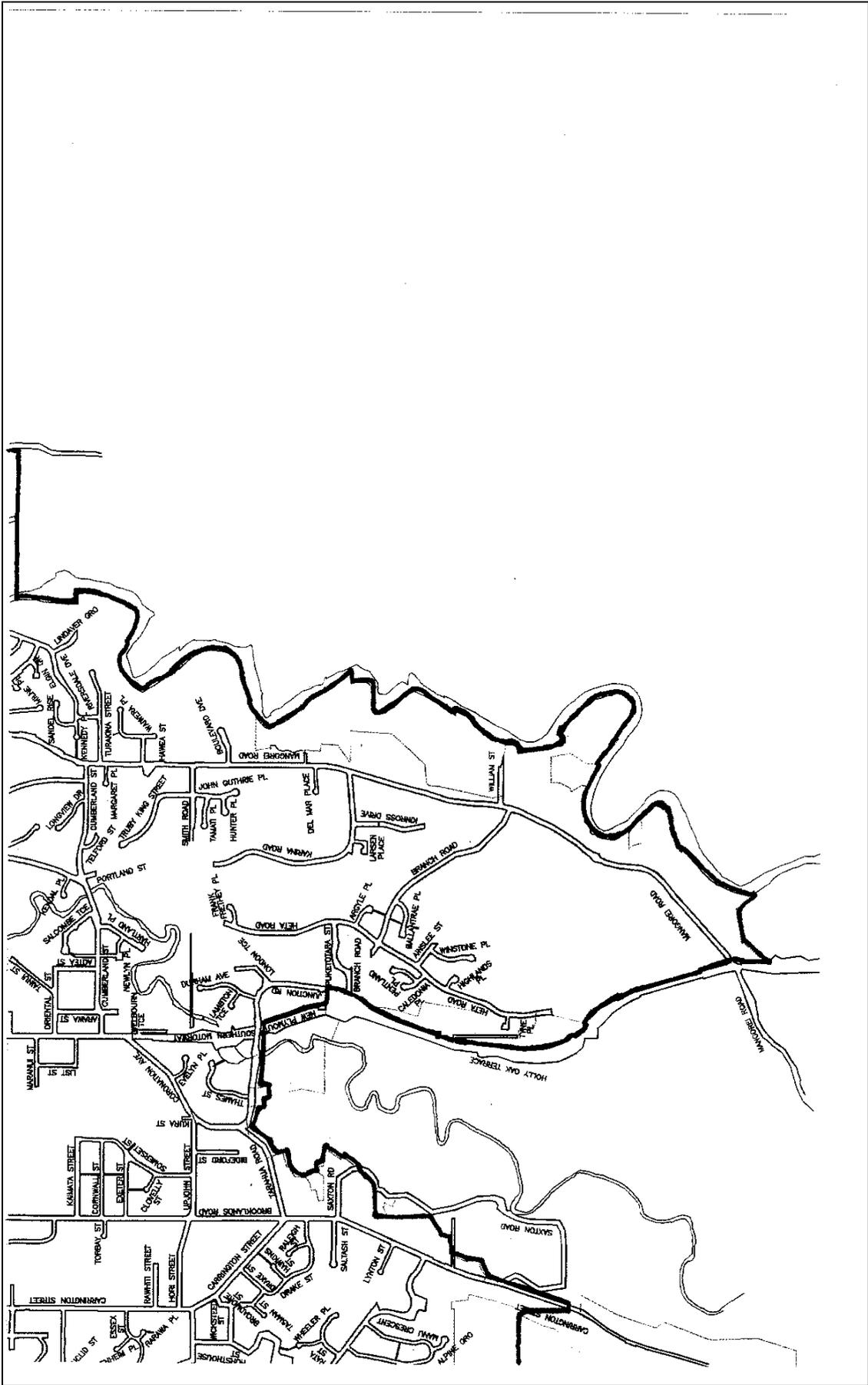


Figure 15c: New Plymouth Defined urban catchment.

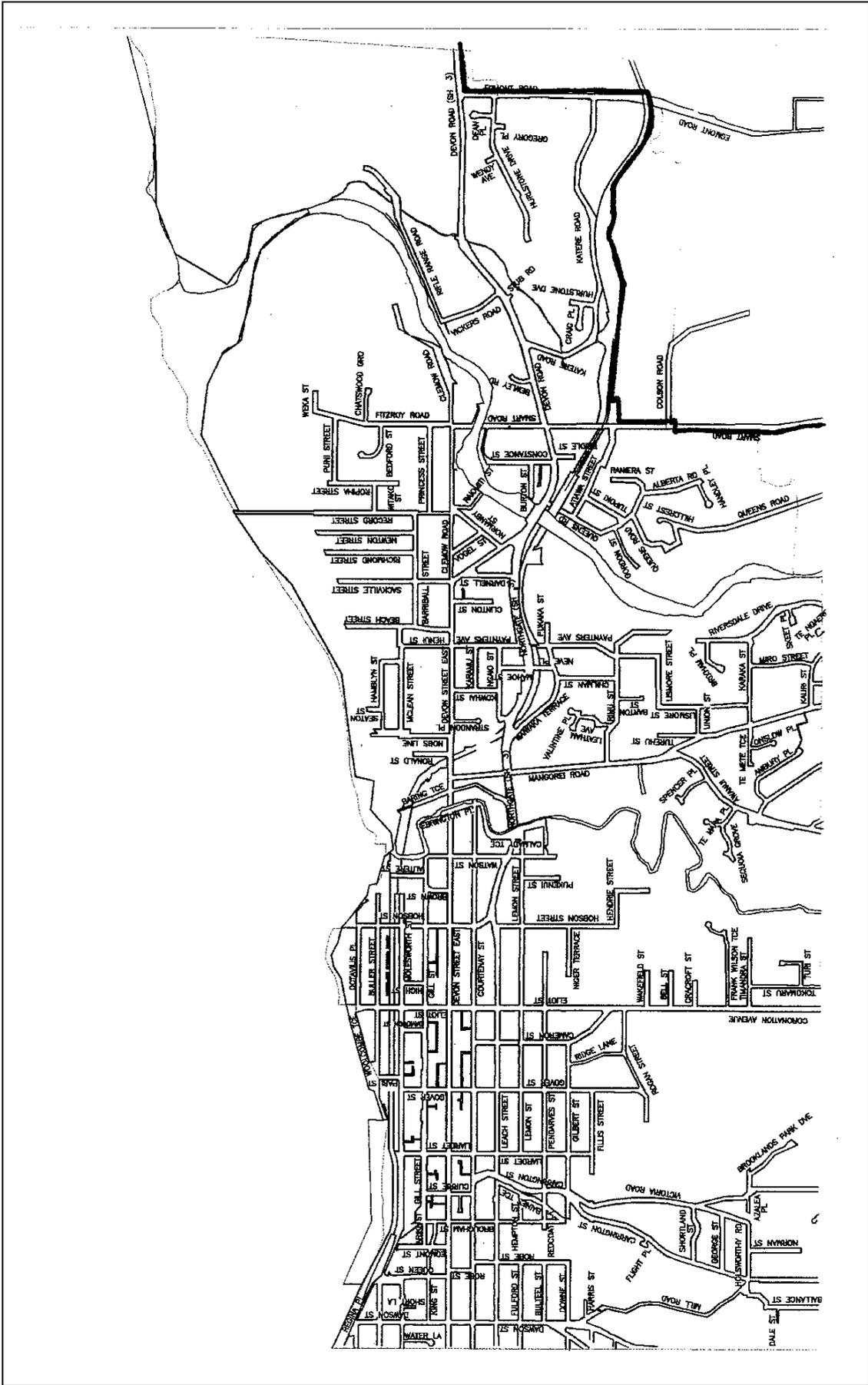


Figure 15d: New Plymouth Defined urban catchment.



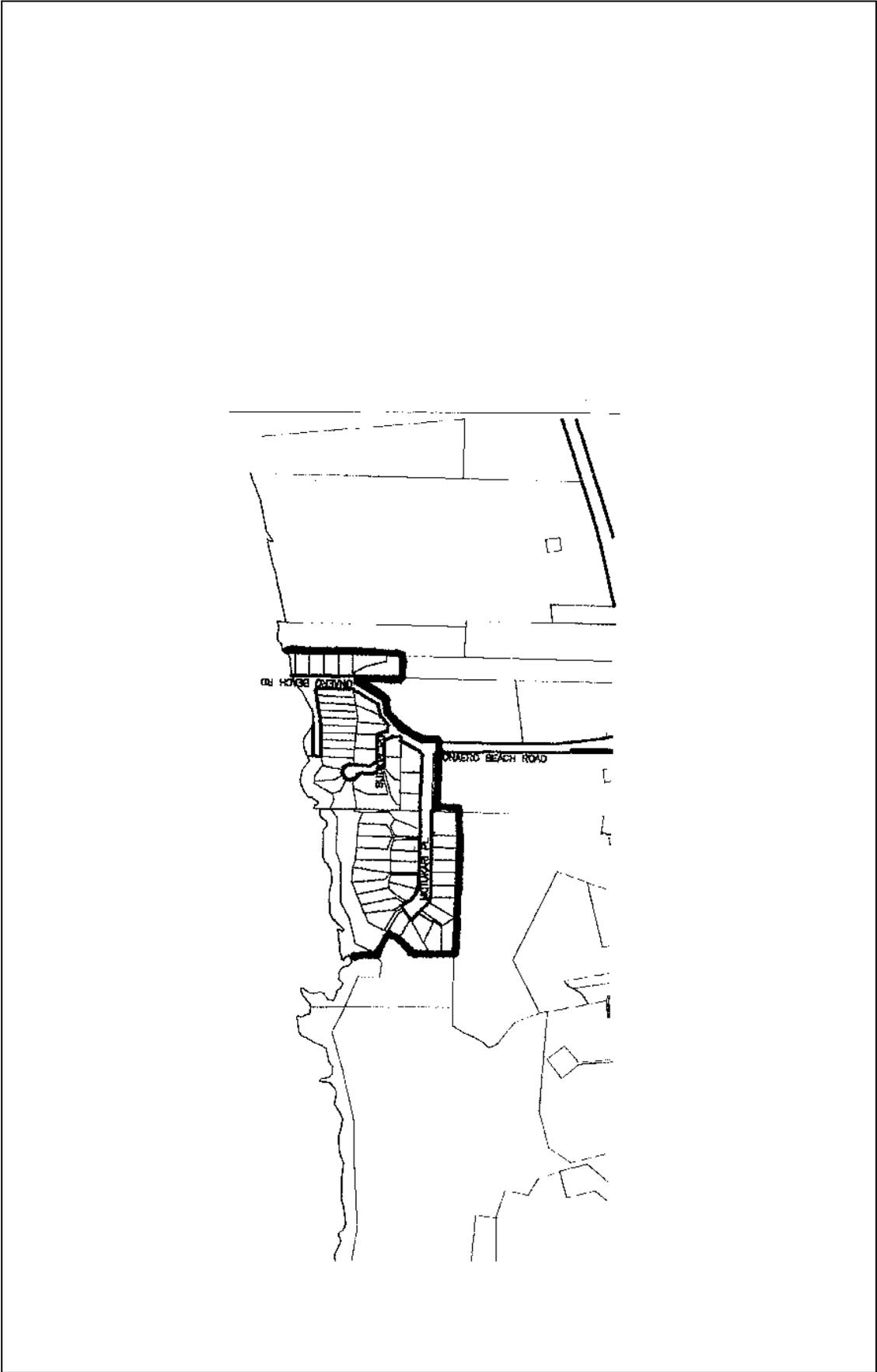


Figure 17: Onaero Defined urban catchment.

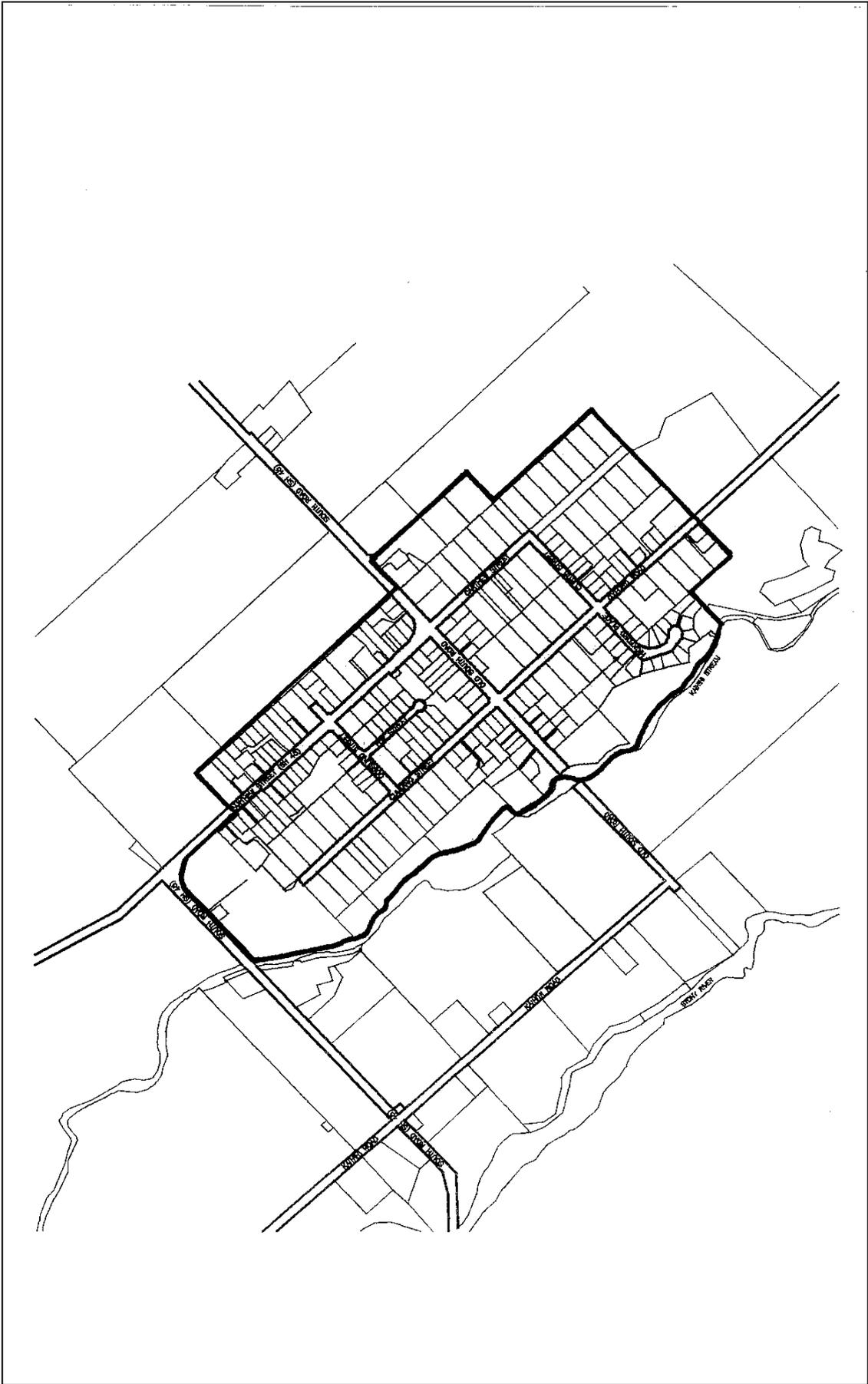


Figure 18: Okato Defined urban catchment.

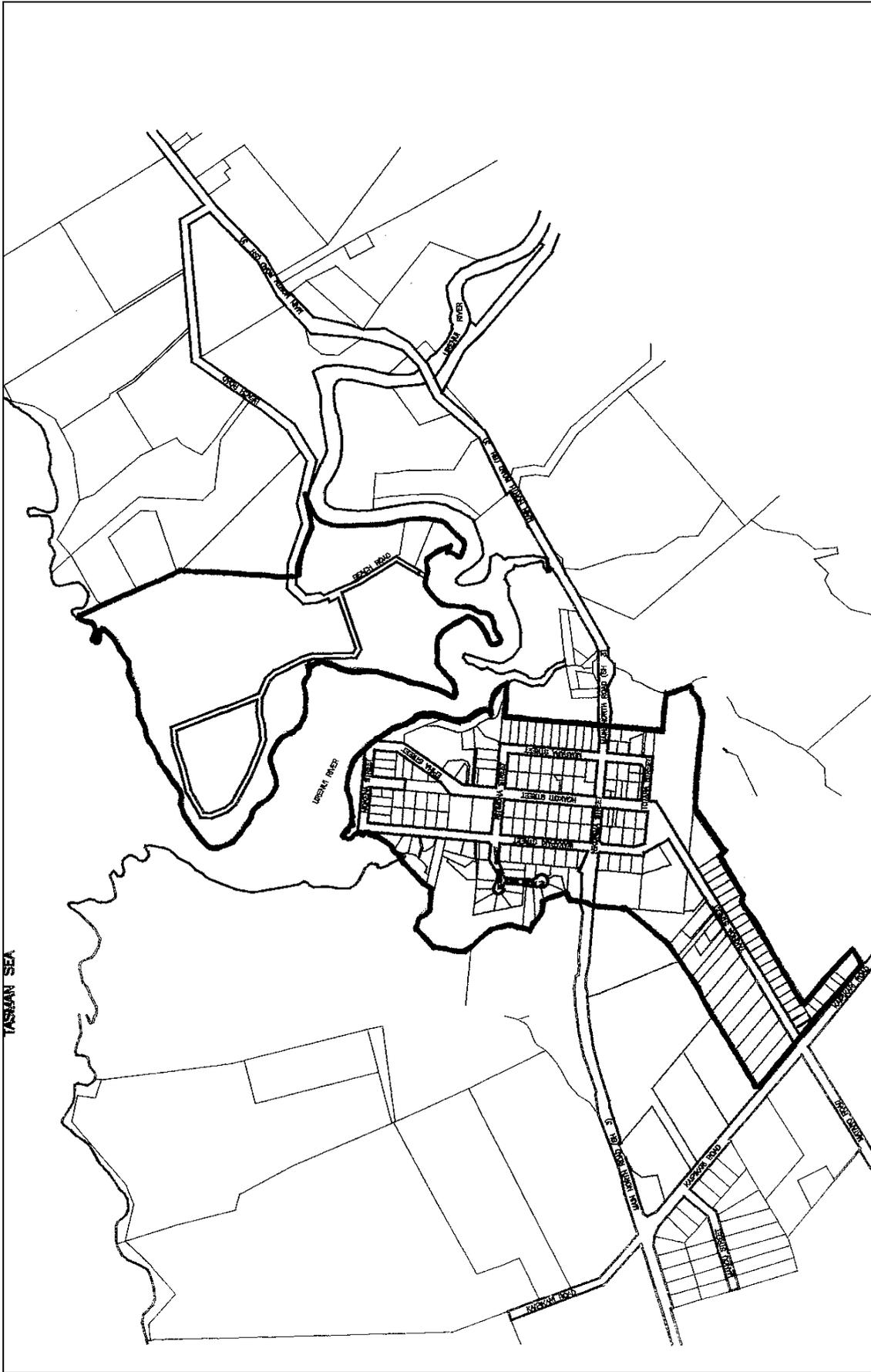


Figure 19: Urenui Defined urban catchment.



Figure 20: Waitara Defined urban catchment.



## Appendix X

### Statutory acknowledgements



# Appendix XA: Statutory acknowledgements

## Statutory acknowledgements

**A statutory acknowledgement is a means by which the Crown has formally acknowledged the statements made by the iwi of the particular cultural, spiritual, historical, and traditional association of the iwi with the statutory areas.**

The purposes of statutory acknowledgements are—

- (a) to require consent authorities, the Environment Court and the Historic Places Trust to have regard to the statutory acknowledgements;
- (b) to require relevant consent authorities to forward summaries of resource consent applications for activities that would affect the area to which the statutory acknowledgement applies to the governance entity; and
- (c) to enable the governance entity and any member of the relevant iwi to cite a statutory acknowledgement as evidence of the association of the iwi with the area to which the statutory acknowledgement relates.

Consent authorities must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of the Act as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.

The limitations on the effect of statutory acknowledgements are, that except as expressly provided in the deed of settlement legislation,—

- (a) statutory acknowledgements do not affect, and are not able to be taken into account by, any person exercising a power or performing a function or duties under any statute, regulation or bylaw;
- (b) no person, in considering a matter or making a decision or recommendation under any statute, regulation or bylaw, may give greater or lesser weight to the association of the iwi with a statutory area than that person would give under relevant statute, regulation or bylaw if a statutory acknowledgement did not exist;
- (c) statutory acknowledgements do not affect the lawful rights or interests of a person who is not a party to the deed of settlement or have the effect of granting, creating

or providing evidence of an estate or interest in, or any rights relating to a statutory area.

### **Attachment of statutory acknowledgements in accordance with iwi deeds of settlement relating to the Taranaki region**

To date, seven statutory acknowledgements apply to the Taranaki region – these relate to the **Ngati Ruanui, Ngati Tama, Ngaa Rauru Kiihahi, Ngāti Mutunga, Taranaki, Ngāruahine and Te Atiawa** deeds of settlement. Information on each statutory acknowledgement, including maps showing the locations of the statutory acknowledgements for these iwi are presented below.

Details of the statutory areas for each iwi are included in the relevant regional plan, and more information on each statutory acknowledgement is contained in the relevant iwi deed of settlement legislation.



# Appendix XB: Ngati Ruanui statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 93 of the Ngati Ruanui Claims Settlement Act 2003, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 5 of Part 5 of the Ngati Ruanui Claims Settlement Act 2003 in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Otoki Gorge Scenic Reserve (Schedule 5 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Te Moananui A Kupe O Ngati Ruanui (Schedule 6 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Tangahoe River (Schedule 7 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Whenuakura River (Schedule 8 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Patea River (Schedule 9 Ngati Ruanui Claims Settlement Act 2003)

The locations of the above areas are shown in Figure 3 below.

## Statutory acknowledgement for Otoki Gorge Scenic Reserve

### Statutory area

The area to which this statutory acknowledgement applies is the area known as the Otoki Gorge Scenic Reserve, as shown on Figure 3.

### Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Otoki Gorge scenic reserve as set out below.

### Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Otoki Gorge Scenic Reserve

The Pukemoko Pa site is located within the Otoki Gorge scenic reserve, which can be found within the area of Whakamara. It was within this pa that Wharematangi, a Rangatira of Ngati Hine (a close fighting ally of Hanataua of Tangahoe), resided before joining Hanataua in his battles with Waikato and Te Rauparaha of Ngati Raukawa.

The pa was a large ridge pa, which had general usage. Its strategic geographical position made it ideal as a fortified village. During the time of warfare, sharp contoured hills, thick underbrush, hidden man-made traps, and skilled warriors knowledgeable in the surrounding rugged terrain made life a misery for those who attempted to conquer the pa. In modern times, this manner of warfare is commonly recognised as "guerrilla tactics".

Within the surrounding valleys, the richness of the soil and waterways provided an abundance of food (birds, animals, fish), building materials, and materials for clothing, gardening, and warfare. Otoki was also used as one of the sites for gathering in times of peace.

The pa remains one of the areas where the footsteps of our Tupuna remain pristine. The area remains uncut, uncultivated, and in its unspoiled state. It is a remote place where the people would be able to sit and reflect on the life of their ancestors sensing the Ihi (power), Wehi (fear), and the Mauri (life force) emanating from the land.

### Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Otoki Gorge scenic reserve, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Otoki Gorge scenic reserve, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Otoki Gorge Scenic Reserve for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in sections 89 to 92 and 95,—
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
- (c) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Otoki Gorge Scenic Reserve described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Otoki Gorge Scenic Reserve.
- (d) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (e) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Otoki Gorge Scenic Reserve.
- (f) Clause (1)(b) does not limit clause (1)(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Otoki Gorge scenic reserve.

## Statutory acknowledgement for Te Moananui A Kupe O Ngati Ruanui

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Te Moananui A Kupe O Ngati Ruanui (coastal area) as shown on Figure 3.

### **Preamble**

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui (coastal area) as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui**

The resources found within Te Moananui A Kupe have, since time immemorial, provided the people of Ngati Ruanui with a constant supply of food resources. The hidden reefs provided koura, paua, kina, pupu, papaka, pipi, tuatua, and many other species of reef inhabitants. Hapuka, moki, kanae, mako, and patiki swim freely between the many reefs that can be found stretching out into the spiritual waters of Te Moananui A Kupe and along the Ngati Ruanui coastline.

Names such as Rangatapu, Ohawe, Tokotoko, Waihi, Waokena, Tangahoe, Manawapou, Taumaha, Manutahi, Pipiri, Kaikura, Whiti kau, Kenepuru, Te Pou a Turi, Rangitawhi, and Whenuakura depict the whereabouts of either a fishing ground or fishing reef.

All along the shoreline from Rangatapu to Whenuakura food can be gathered, depending on the tides, weather, and time of year.

Tragedies of the sea are also linked to these reefs. Ngati Ruanui oral history records the sinking off Tangahoe of a Chinese trade ship that had just been loaded with a cargo of flax. When the bodies were recovered and brought to shore, none of them had any eyes.

The people of Ngati Hine believe that they did something wrong and in turn were punished by the Ngati Ruanui taniwha named Toi, kaitiaki (guardian) of the fishing reefs and grounds, who is renowned to this day to eat the eyes of his victims.

### **Purposes of statutory acknowledgement**

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to Te Moananui A Kupe O Ngati Ruanui, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui, as provided for in section 95.

#### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in sections 89 to 92 and 95,—
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and  
no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Te Moananui A Kupe O Ngati Ruanui.
- (c) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (d) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, Te Moananui A Kupe O Ngati Ruanui.
- (e) Clause (1)(b) does not limit clause (1)(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of Te Moananui A Kupe O Ngati Ruanui.

## Statutory acknowledgement for Tangahoe River

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Tangahoe River, as shown on Figure 3.

### **Preamble**

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Tangahoe River as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Tangahoe River**

Ngati Ruanui history informs us that the people of the Kahui Maunga (mountain people of the highest rank) inhabited the South Taranaki area prior to the arrival of the Aotea Waka. They in turn were vanquished and enveloped through warfare and intermarriage into the Aotea, Ruanui-a Pokiwa history. One of the areas in which these people were renowned to have flourished is known as the Tangahoe River and valley.

The late Ueroa (Charlie) Ngarewa, an elder of both Tangahoe and Ngati Hine descent, gave one version of the origin of the name Tangahoe. He said the name Tangahoe was given to the river because of an incident that occurred, in which the steering oar was lost from a large deep-sea fishing waka as it attempted to return to the Tauranga waka. The comment was made that "if there were 2 steering oars like that of the Waka Tipua of Turi Ariki, then the flight to its resting place would remain true." Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

#### **Tangahoe: the steering oars of Turi Ariki**

The Tangahoe River has been a major supply of food and water resources to its people both prior to, and since, the arrival of the Aotea Waka. The valley, like the rest of the southern lands, was a fertile paradise. Because of the mild temperatures, it was without extremes and promoted lush vegetation that was checked only by the occasional equinoctial weather patterns. Birds such as manunui (which made its nests amongst the koromiko bushes), kereru (the food of nga Ariki), pukeko (the treasured species brought on the Aotea Waka), tiwaiwaka (the guardian left by Kupe), kahu (the sentinel), kakapo, kiwi, korimako, miromiro (the custodians of the forest), and pipiwharauoa (the herald of the new year) flourished in the berry-filled trees, like the koromiko, kohia, hinau,

piripiri, mamaku, and rewarewa at the side of the eel- and koura-filled creeks. Fish, such as the piharau, kokopu, tunaheke, patiki, and shellfish, were abundant in the waters and on the reefs at the mouth of the river.

During the time of internal warfare, the valley through which the river runs was a trap for the unwary. The many re-entrants and secondary valleys provided natural hiding and attacking areas and, if necessary, places of refuge.

To the people of Ngati Ruanui, all the rivers and their respective valleys are of the utmost importance because of their physical, spiritual, and social significance in the past, present, and future.

### **Purposes of statutory acknowledgement**

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Tangahoe River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Tangahoe River as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Tangahoe River for inclusion in a deed of recognition.

### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in sections 89 to 92 and 95,—
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
- (c) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Tangahoe River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Tangahoe River.

- (d) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (e) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Tangahoe River.
- (f) (4) Clause (1)(b) does not limit clause (1)(a).
- (g) No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Tangahoe River.

## **Statutory acknowledgement for Whenuakura River**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, as shown on Figure 3.

### **Preamble**

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Whenuakura River as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Whenuakura River**

The name of this river originated during the time of Turi Arikiniui, Kaihautu of the Waka Tipua Aotea, and his wife Rongorongoro Tapairu. They lived with their families between the two rivers, Patea nui a Turi and Whenuakura. Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

### **Whenuakura: the land belonging to the people of high rank**

Like the Tangahoe River, this river provided the people of the Aotea Waka, and later the people of Ngati Hine and Ngati Tupito, with all the resources of life they required to survive.

The valley through which the river flowed provided multiple bird life, animals, clothing, building, gardening, and warfare implements, as well as places where social activities,

fishing, and waka racing could take place. Sporting activities took place within and outside the surrounding forests. There were also places that Tohunga, Rangatira, and other whanau/hapu/iwi representatives used for burial, washing, baptising, and special activities. It was a place where people would go to find peace within themselves.

This river, like the others within the rohe, will always be an integral part of the social, spiritual, and physical lifestyle of the Ngati Ruanui people.

### **Purposes of statutory acknowledgement**

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Whenuakura River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Whenuakura River as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Whenuakura River for inclusion in a deed of recognition.

### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in sections 89 to 92 and 95,—
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
- (c) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Whenuakura River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Whenuakura River.
- (d) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

- (e) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Whenuakura River.

- (f) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui or the governance entity in respect of the Whenuakura River.

## **Statutory acknowledgement for Patea River**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Patea River (excluding Lake Rotorangi), as shown on Figure 3.

### **Preamble**

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River**

The full name of this river is Patea nui a Turi. It was named by Turi on his arrival overland after leaving the Aotea Waka at Kawhia. The name Patea was given by Turi Ariki when, upon seeing nga kaitiaki (the guardians) left by Kupe as guides for him and his family, he exclaimed "Ka Patea tatou" - we have arrived at Patea.

Since that arrival, the river has played an important part in the lifestyles of the Aotea people. The riverbanks have provided the soil for the gardens of Rongorongo Tapairu called Hekeheke I papa, the karaka grove called Papawhero, and the spring of life of Turi and Rongorongo called Parara-ki-te-Uru.

The source of the Patea River is on the mountain Rua Taranaki and is called Whakapou Karakia. Whakapou Karakia can be found upon the mountain Rua Taranaki within the rohe of Ngati Ruanui.

Upon the arrival of the Aotea people to South Taranaki from Kawhia, Turi Ariki at Te Pou a Turi laid claim to the surrounding territory and the river, which until then has been

known as "Te Awa o Taikahu", as belonging to him and his descendants. Upon completing the respective rituals to protect the newly gained lands from unwanted entities, he then proceeded to spiritually purify the rest of the area.

The newly claimed river, because of its spiritual and life-giving resources, was then traversed and spiritual Kaitiaki sown in every location that was to become significant to the people of the Aotea Waka along the total length of the river. These purifying rituals continued to the source of the river on the mountain. It was at this locality upon the mountain that the final Karakia of protection was performed to unite all the Kaitiaki as one in the protection of the waters and resources pertaining to the river, hence—

whaka:	to do
pou:	pillar of strength
karakia:	invocation

#### **Purposes of statutory acknowledgement**

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Patea River, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Patea River for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

- (e) Except as expressly provided in sections 89 to 92 and 95,—
- (f) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
- (g) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Patea River described in this statutory

acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.

- (h) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (i) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Patea River.
- (j) Clause (1)(b) does not limit clause (1)(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Patea River.

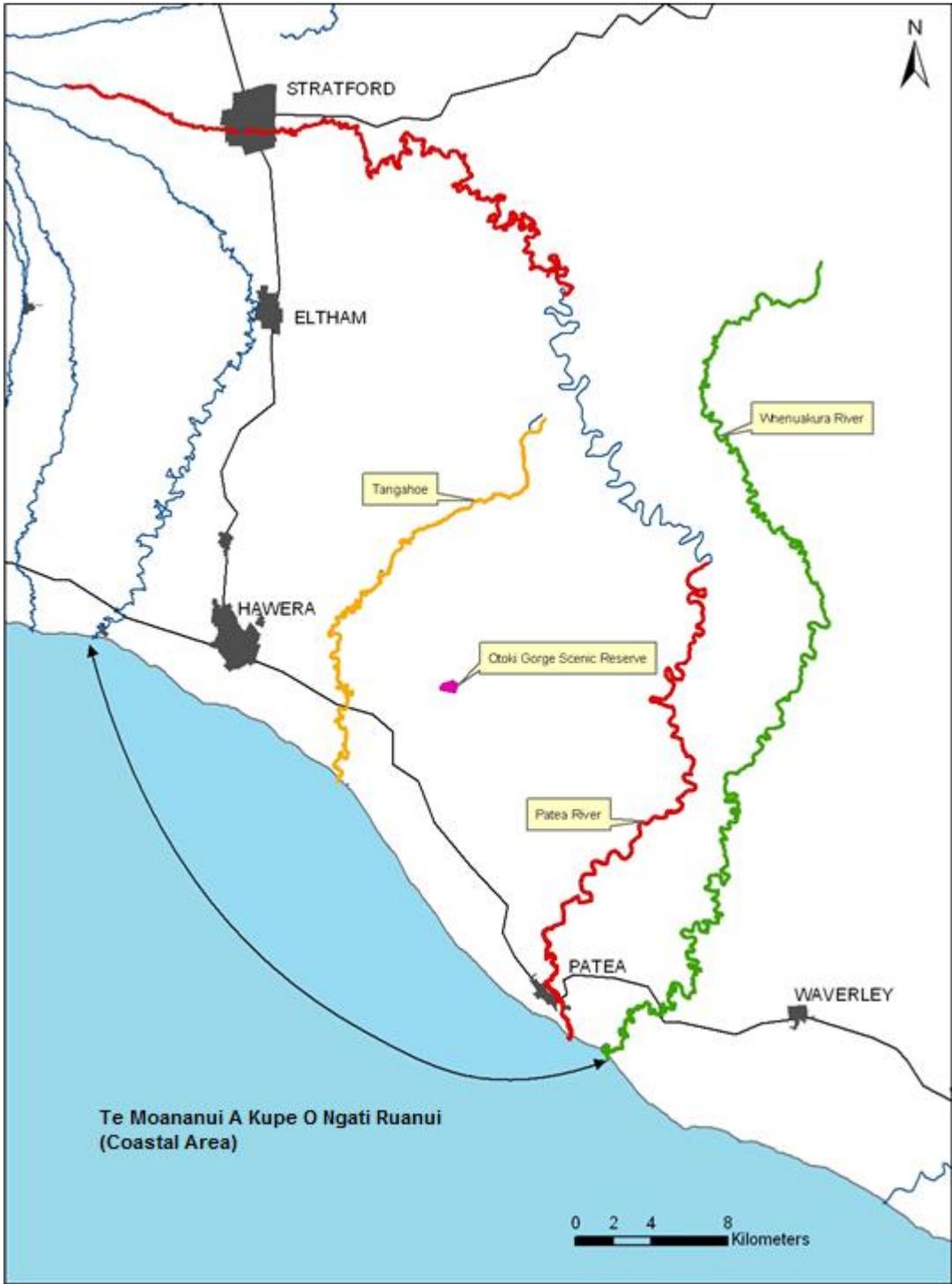


Figure 3 Location of statutory acknowledgements for Ngati Ruanui



# Appendix XC: Ngati Tama statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 58 of the Ngati Tama Claims Settlement Act 2003, information recording statutory acknowledgements is hereby attached to the *Regional Policy Statement for Taranaki*. The information includes relevant provisions of Subpart 4 of Part 5 of the Ngati Tama Claims Settlement Act 2003 in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for part of Mimi-Pukearuhe coast marginal strip (Schedule 3 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for part of Mount Messenger conservation area in Ngati Tama area of interest (Schedule 4 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Moki conservation area (Schedule 5 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Tongaporutu conservation area (Schedule 6 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino swamp conservation area (Schedule 7 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Pou Tehia historic reserve (Schedule 8 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino River (Schedule 9 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Tongaporutu River (Schedule 10 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino River (No 1) marginal strip (Schedule 11 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino River (No 2) marginal strip (Schedule 12 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino coastal marginal strip (Schedule 13 Ngati Tama Claims Settlement Act 2003)

- Statutory Acknowledgement for coastal marine area adjoining the Ngati Tama area of interest (Schedule 14 Ngati Tama Claims Settlement Act 2003).

The locations of the above areas are shown in Figure 4 below.

## Statutory acknowledgement for part of Mimi-Pukearuhe coast margin strip

### Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as part of the Mimi-Pukearuhe coast marginal strip, the general location of which is indicated on Figure 4.

### Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with part of Mimi-Pukearuhe coast marginal strip as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Tama with part of Mimi—Pukearuhe coast marginal strip**

This is an area of high historic importance to Ngati Tama and contains some significant pa sites, including Titoki, Whakarewa, Otumatua, and Pukearuhe.

The Papatiki stream is located in the area. It is tapu to Ngati Tama because of the way in which it was used by northern invaders after a battle in pre-Pakeha times.

There remain important kaitiaki links to the patiki (flounder/sole) and tamure (snapper) breeding grounds, as well as other fish resources.

A very important feature of the area is the presence of high papa rock cliffs. A unique fishing method was developed by Ngati Tama, using the ledges hewn out by nature at the

bottom of these cliffs. Mako (shark), tamure, and arara (trevalli) were caught off these ledges in abundance.

Koura (freshwater crayfish), kutae (mussels), kina (sea eggs), paua, and other resources also contributed to a reliable and plentiful supply of fish in season from the area. Ngati Tama developed a number of different ways of preserving these supplies for later consumption, using every part of the fish. This tradition has survived and continues to be used by Ngati Tama as a form of aroha koha (reciprocal contribution) at special hui.

Where the cliffs incline to sea level, there are a number of tauranga waka (canoe berths) formerly used for fishing canoes. These have special significance to Ngati Tama in their identification with the area as physical symbols of an historical association with it.

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to part of the Mimi-Pukearuhe coast marginal strip, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with part of the Mimi-Pukearuhe coast marginal strip, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Mimi-Pukearuhe coast marginal strip for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in subpart 4 of Part 5,—
- (b) this statutory acknowledgement does not—
  - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
  - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
  - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, part of the Mimi-Pukearuhe coast marginal strip; and
  - (iv) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the part of the Mimi-Pukearuhe coast marginal

strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of that part of the Mimi-Pukearuhe coast marginal strip.

- (c) Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of part of the Mimi-Pukearuhe coast marginal strip.

## **Statutory acknowledgement for part of Mount Messenger conservation area in Ngati Tama area of interest**

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the part of the Mount Messenger conservation area in the Ngati Tama area of interest, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest**

This is an important area containing Ngati Tama pa sites and mahinga kai sources of birds and fish.

The once great Katikatiaka Pa was located here, inhabited by the descendants of Uerata, who were among the fighting elite of Ngati Tama. It was an important vantage point, built in 2 divisions, and extending to the seaward clifftops. Tihi Manuka, a refuge pa, also situated in the area, was directly connected to an important inland track.

Kiwi, kahurangi, kereru, eels, inanga, and the paua slug were traditional resources found here. Papa clay types found here were used for dyeing muka. A range of temperate zone

flora was also available to Ngati Tama from this area, including beech, rata, rimu, and a variety of ferns. Important mahinga kai streams include Te Horo, Ruataniwha, Waipingao, and Waikaramarama.

### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the part of the Mount Messenger conservation area in the Ngati Tama area of interest, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest for inclusion in a deed of recognition.

### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in subpart 4 of Part 5,—
- (b) this statutory acknowledgement does not—
  - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
  - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the part of the Mount Messenger conservation area in the Ngati Tama area of interest; and
- (c) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the part of the Mount Messenger conservation area in the Ngati Tama area of interest.

- (d) Clause 1(b) does not limit clause 1(a).

### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the part of the Mount Messenger conservation area in the Ngati Tama area of interest.

## **Statutory acknowledgement for Moki conservation area**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Moki conservation area, the general location of which is indicated on Figure 4.

### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Moki conservation area, as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Moki conservation area**

This area is important to Ngati Tama for the inland walking track that Ngati Tama used to travel overland to Wanganui and an alternative route from the coast to neighbouring iwi. This area also contains a pa site, the Tihi Manuka pa, of importance to Ngati Tama.

### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, and the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Moki conservation area, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Moki conservation area, as provided for in section 60; and

- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Moki conservation area for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
- (a) this statutory acknowledgement does not—
- (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
  - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Moki conservation area; and
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Moki conservation area described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Moki conservation area.
2. Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Moki conservation area.

## **Statutory acknowledgement for Tongaporutu conservation area**

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Tongaporutu conservation area, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu conservation area, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu conservation area**

Te Umukaha Pa was another important defence link in this area in the chain of Ngati Tama fighting pa along the coast. Close by, on the opposite bank, stood the mighty Pukeariki, which served as a refuge for the local people in times of war. Pukeariki was also an important beacon point in the coastal network. Beacon fires were lit at strategic points along the coast to carry prearranged messages between settlements.

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Tongaporutu conservation area, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Tongaporutu conservation area, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Tongaporutu conservation area, for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in subpart 4 of Part 5,— this statutory acknowledgement does not—
- (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
  - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Tongaporutu conservation area; and
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Tongaporutu conservation area described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Tongaporutu conservation area.

(c) Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Tongaporutu conservation area.

## Statutory acknowledgement for Mohakatino swamp conservation area

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino swamp conservation area, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino swamp conservation area, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino swamp conservation area**

This is an area that has many significant wahi tapu. It is also valuable to Ngati Tama due to it being an historical garden area where the cultivation of taewa (potato varieties) and kumara (sweet potato) was a specialist activity. The garden kaitiaki were the local people from Pa Hukunui and Pukekarirua. The area was also used by Ngati Tama for access to mahinga kai and cultivation of other crops.

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino swamp conservation area, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and

- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino swamp conservation area, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Mohakatino swamp conservation area for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

- (a) Except as expressly provided in subpart 4 of Part 5,—
- (b) this statutory acknowledgement does not—
  - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
  - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
  - (iii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
- (c) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino swamp conservation area described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino swamp conservation area.
- (d) Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino swamp conservation area.

## Statutory acknowledgement for Pou Tehia historic reserve

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Pou Tehia historic reserve, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Pou Tehia historic reserve, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Pou Tehia historic reserve**

Pou Tehia Pa was one of two significant Ngati Tama fighting pa on the banks of the Tongaporutu. The other pa was the mighty Pukeariki Pa, which provided refuge for the occupants of the area in time of war, as well as being the lookout and beacon point in the Ngati Tama network of coastal strongholds.

On the northern bank of the Tongaporutu, Umukaha Pa and Omaha Pa formed part of that defence network.

Many urupa (burial sites) are to be found on both sides of the river. These provided the last resting places for the communities and their defenders.

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Pou Tehia historic reserve, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Pou Tehia historic reserve, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Pou Tehia historic reserve for inclusion in a deed of recognition.

#### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
    - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:

- (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Pou Tehia historic reserve; and

- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Pou Tehia historic reserve described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Pou Tehia historic reserve.

2. Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Pou Tehia historic reserve.

## Statutory acknowledgement for Mohakatino River

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino River, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River**

The Mohakatino River has great significance for Ngati Tama, being the landing place of the Tokomaru waka and the original site of Ngati Tama residence. Marae-Rotohia, for centuries the ancient house of learning of Tokomaru descendants, was established in this area by Rakeiora, one of the Tokomaru waka chiefs and tohunga (specialist in traditional knowledge), and faithfully guarded by Ngati Tama during their dominion.

Te Rangihiroa wrote in loving recollection of his kuia Kapuakore's stories about the area:

*"On the edge of the sand .... lapped by the sea which watched over Poutama since the beginning, stands the rock Paroa where 10 Ngati Tama gaily fishing with their faces turned to the sea marked not the mustering 'taua' [war party] gathering on the beach behind until the rising tide waist-high upon the rock forced them to turn. I verily believe that Pakeha would have drowned themselves, but the naked and unarmed N'Tama grasping the stone sinkers of their lines unhesitatingly waded ashore and fought like war-gods so that relatives in the `taua' in thrusting, let their spears go. The flying weapons were promptly caught in mid-air and to the valiant ten were armed and slew and slew beneath the shining sun until the enemy were put to flight."*

### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino River, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino River, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Mohakatino River for inclusion in a deed of recognition.

### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
    - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
    - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino River; and
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino River.

2. Clause 1(b) does not limit clause 1(a).

### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino River.

## **Statutory acknowledgement for Tongaporutu River**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Tongaporutu River, the general location of which is indicated on Figure 4.

### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu River, as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu River**

This area can be considered part of the heart of Poutama country, to whose fighting fame some notable Ngati Tama warriors contributed. It was the battleground of many a hostile incursion from the north, located between Te Umukaha Pa and Omaha Pa. On the southern bank of the Tongaporutu stood Pou Tehia Pa. A little westward on the headland stood Pukeariki Pa and offshore was Te Kaeaea's island pa, Pa Tangata.

The proximity and quantity of sea and forest resources, the abundance of river and agricultural produce, the subtropical climate, and relatively protected river inlet was a paradise for the closely linked coastal population. Among the most famous of the area was Te Kaeaea, also known as Taringa Kuri, and brother of Te Puoho, their parents being Whangataki II and Hinewairoro, both of whom trace their lineage back to the Tokomaru.

### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Tongaporutu River, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Tongaporutu River, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Tongaporutu River for inclusion in a deed of settlement.

#### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
    - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
    - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Tongaporutu River; and
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Tongaporutu River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Tongaporutu River.
2. Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Tongaporutu River.

## Statutory acknowledgement for Mohakatino River (No 1) marginal strip

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino River (No 1) marginal strip, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 1) marginal strip, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 1) marginal strip**

This area is near the site of the landing of the Tokomaru waka and the original site of Ngati Tama residence. As a consequence, it holds significant value to Ngati Tama.

The area was also a valuable source of mahinga kai for Ngati Tama. Tuna (eels), inanga (whitebait), and koura (freshwater crayfish) were among the river resources found here. A diverse range of vegetation such as nikau, beech, rata, rimu, and fern varieties provided food and also building and ornamental materials. Kokako, kereru, kiwi, and kaka were significant among the fauna of the area.

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino River (No 1) marginal strip, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino River (No 1) marginal strip, as provided for in section 60.

#### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;

- (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
  - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino River (No 1) marginal strip; and
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino River (No 1) marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino River (No 1) marginal strip.
2. Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino River (No 1) marginal strip.

## Statutory acknowledgement for Mohakatino River (No 2) marginal strip

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino River (No 2) marginal strip, the general location of which is indicated on Figure 4.

#### **Preamble**

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 2) marginal strip, as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 2) marginal strip**

This area is important to Ngati Tama as a mahinga kai reserve. Abundant river resources such as tuna, inanga, and koura were sourced from the area. Forest resources, including the medicinally important kawakawa, were abundant. Kokako, kereru, kiwi, and kaka were key fauna of the area.

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino River (No 2) marginal strip, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino River (No 2) marginal strip, as provided for in section 60.

#### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
    - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
    - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino River (No 2) marginal strip; and
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino River (No 2) marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino River (No 2) marginal strip.
2. Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino River (No 2) marginal strip.

## Statutory acknowledgement for Mohakatino coastal marginal strip

### Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino coastal marginal strip, the general location of which is indicated on Figure 4.

### Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino coastal marginal strip, as set out below.

### Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino coastal marginal strip

Along this beach between the Mohakatino and Mokau Rivers, Ngati Tama engaged in numerous battles with northern iwi. One of these battles was "Nga-tai-pari-rua" in 1815, which, as its name indicates, was fought during 2 high tides.

Because of such battles and the communities in the area, there are a number of urupa (burial sites) of significance to Ngati Tama in the vicinity.

The mataitai resources along this beach are of great value to the tribes associated with them and were often a cause for dispute.

### Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino coastal marginal strip as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino coastal marginal strip, as provided for in section 60.

### Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
    - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
    - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino coastal marginal strip; and
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino coastal marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Mohakatino coastal marginal strip.
2. Clause 1(b) does not limit clause 1(a).

### No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino coastal marginal strip.

## Statutory acknowledgement for coastal marine area adjoining the Ngati Tama area of interest

### Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the coastal marine area adjoining the Ngati Tama area of interest, the general location of which is indicated on Figure 4.

### Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest, as set out below.

### Cultural, spiritual, historical, and traditional association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest

Te Rangihiroa (Sir Peter Buck) wrote of Ngati Tama's renown throughout the country for their fighting prowess. He recorded the words of an unnamed old man:

*"[O]ther tribes fought for fat lands, for birds and rat preserves, an aruhe rahui [fernroot reserve] but Ngati Tama fought for the sake of fighting, with a parcel of wet land as take [cause]".*

#### **Purposes of statutory acknowledgement**

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

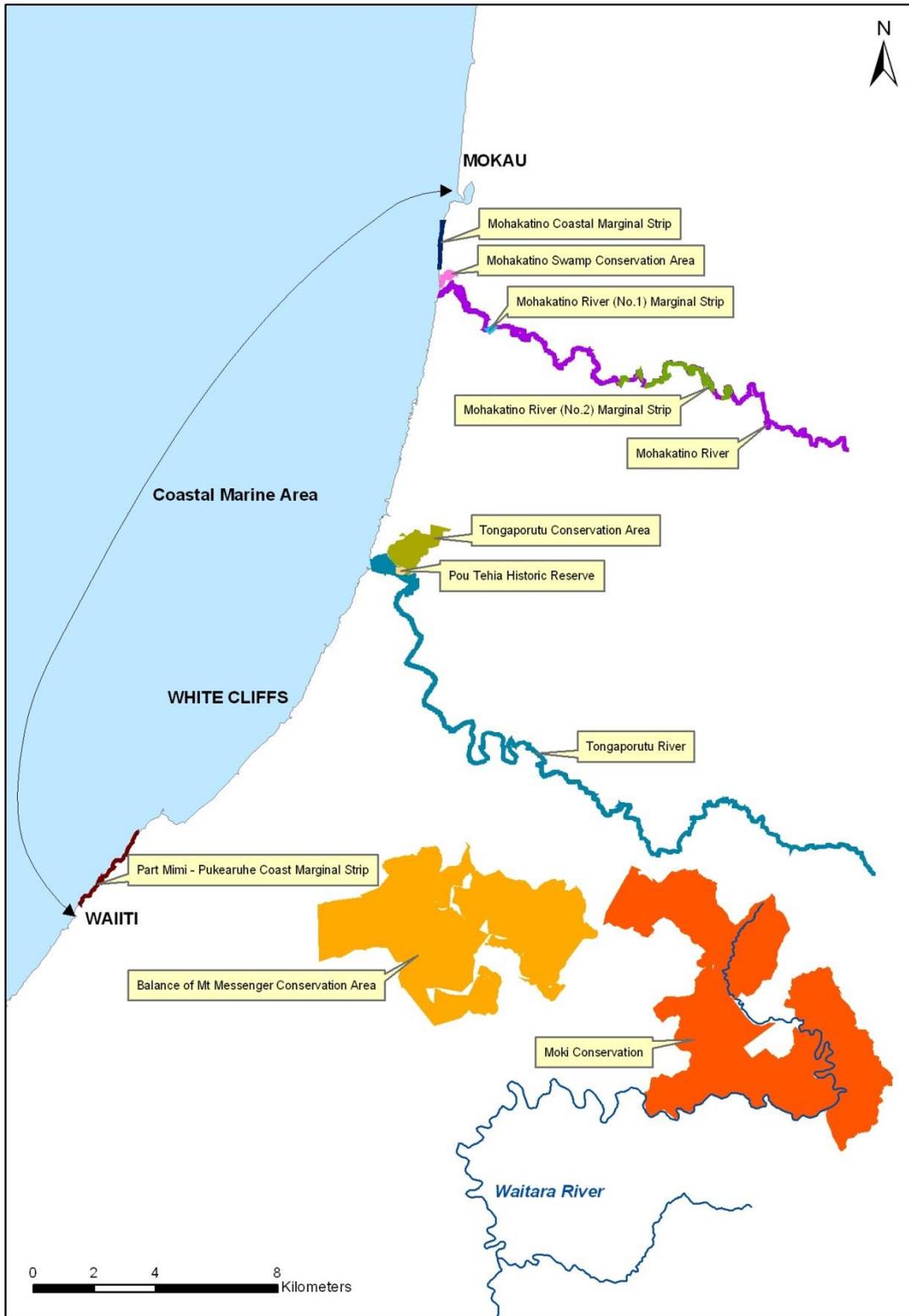
- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the coastal marine area adjoining the Ngati Tama area of interest, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest, as provided for in section 60.

#### **Limitations on effect of statutory acknowledgement**

1. Except as expressly provided in subpart 4 of Part 5,—
  - (a) this statutory acknowledgement does not—
    - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
    - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
    - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the coastal marine area adjoining the Ngati Tama area of interest; and
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the coastal marine area adjoining the Ngati Tama area of interest.
2. Clause 1(b) does not limit clause 1(a).

#### **No limitation on the Crown**

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the coastal marine area adjoining the Ngati Tama area of interest.



**Figure 4** Location of statutory acknowledgements for Ngati Tama



# Appendix XD: Ngaa Rauru Kiitahi statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 45 of the Ngaa Rauru Kiitahi Claims Settlement Act 2005, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 4 of the Ngaa Rauru Kiitahi Claims Settlement Act 2005, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Nukumaru Recreation Reserve (Schedule 4 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest (Schedule 5 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Hawkens Lagoon Conservation Area (Schedule 6 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Lake Beds Conservation Area (Schedule 7 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for the Patea River (Schedule 9 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Whenuakura River (Schedule 10 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Waitotara River (Schedule 11 Ngaa Rauru Kiitahi Claims Settlement Act 2005)

The locations of the above areas are shown in Figure 5 below.

## Statutory acknowledgement for Nukumaru Recreation Reserve

### Statutory area

The area to which this statutory acknowledgement applies is the area known as Nukumaru Recreation Reserve, the general location of which is indicated on Figure 5.

### Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Nukumaru Recreation Reserve as set out below.

### Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Nukumaru Recreation Reserve

Waikaramihi is the name given to the marae tawhito that is situated within the Nukumaru Recreation Reserve, on the coast between Waiinu and Tuaropaki. Ngaa Rauru Kiitahi traditionally camped at Waikaramihi from October to March each year. The main food gathering area was between the Waitotara river mouth and Tuaropaki.

The sources of food include kakahi (fresh water mussels), sea mussels, kina, paua, papaka (crabs), karingo (seaweed), and very small octopus stranded in the small rock pools from the receding tides. While Ngāti Maika and Ngāti Ruaiti were the main hapu that used Waikaramihi, all Ngaa Rauru Kiitahi hapu traditionally gathered kai moana in accordance with the values of Ngā Raurutanga.

The Karewaonui canoe (over 100 years old) was until 1987 housed at Waikaramihi and was used by Ngaa Rauru Kiitahi (mainly Ngāti Maika and Ngāti Ruaiti) to catch stingray, shark, snapper, and hapuka about 10 miles off the coast. Karakia were used when Karewaonui was "put to sea", and an offering of the first fish caught on Karewaonui was always given to the Kaitiaki-o-te-moana.

The area is still significant to Ngaa Rauru Kiiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiiitahi is sustained, and the spiritual well-being nourished.

#### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Nukumarū Recreation Reserve as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiiitahi with the Nukumarū Recreation Reserve as provided for in section 47.

#### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiiitahi with the Nukumarū Recreation Reserve (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Nukumarū Recreation Reserve.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Nukumarū Recreation Reserve.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Nukumarū Recreation Reserve.

## Statutory acknowledgement for Coastal Marine Area adjoining Ngaa Rauru Kiiitahi area of interest

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Coastal Marine Area adjoining the Ngaa Rauru Kiiitahi area of interest, the general location of which is indicated on Figure 5.

#### **Preamble**

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Coastal Marine Area adjoining the Ngaa Rauru Kiiitahi area of interest as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Coastal Marine Area adjoining the Ngaa Rauru Kiiitahi area of interest**

Within this coastal area between Rangitaawhi and Wai-o-Turi Marae is “Te Kiri o Rauru”, the skin of Rauru. Te Kiri o Rauru is an important life force that has contributed to the physical and spiritual well-being of Ngaa Rauru Kiiitahi.

Ngaa Rauru Kiiitahi used the entire coastal area from Te Awanui o Taiehu (Patea River) to the mouth of the Whanganui River and inland for food gathering, and as a means of transport. The coastal area was a rich source of all kai moana. Ngaa Rauru Kiiitahi exercised the values of Ngā Raurutanga in both harvesting and conserving kai moana.

Ngāti Hine Waiata, and Ngāti Tai hapu of the Waipipi (Waverley) area gathered food according to the values of Ngā Raurutanga and kawa along the coast from the Patea River to Waipipi. Along the wider coastal area Rangitaawhi, Pukorokoro, Ngāti Hine, Kairakau,

Ngāti Maika, and Manaia hapu of the Patea area gathered food according to the values of Ngā Raurutanga and kawa.

Ngā Ariki, Ngāti Hou Tipua, Ngāti Pourua, Ngāti Hine Waiatarua, Ngāti Ruaiti, and Ngāti Maika gathered food according to the values of Ngā Raurutanga and kawa along the coast from Waipipi to Mowhanau and the Kai Iwi stream.

Tamareheroto (Ngāti Pukeko and Ngāti Iti) exercised food gathering according to the values of Ngā Raurutanga and kawa along the coast from the Okehu stream to the mouth of the Whanganui River, including from the fishing station of Kaihau a Kupe (at the mouth of the Whanganui River). Ngā Kaainga at Kaihau a Kupe included Kaihokahoka (ki tai), Kokohuia (swampy area at Castlecliff), Te Whare Kakaho (Wordsworth St area), Pungarehu/Te Ahi Tuatini (Cobham bridge), Te Oneheke (between Karamu stream and Churton Creek),

Patupuhou, Nukuiro, and Kaierau (St Johns Hill). There are many sites of cultural, historical, and spiritual significance to Ngaa Rauru Kiitahi along the coastal area from the Patea River to the mouth of the Whanganui River. Important kaainga are situated along this coastal area. These include

Tihoi Pa (where Te Rauparaha rested), which is situated between Rangitaawhi and the mouth of the Whenuakura River, Poopoa (Te kaainga a Aohehu), and Te Wai o Mahuku (near Te Ihonga). This coastal area includes outlets of streams and rivers that nourish and sustain Ngaa Rauru Kiitahi, such as Waipipi, Waiinu, Tapuarau Lagoon, the Ototoka Stream, the Okehu Stream, and the Kai Iwi Stream. Other areas of special significance to Ngaa Rauru Kiitahi include Taipake Tuturu, Tutaramoana (he kaitiaki moana), Tuaropaki, and Waikaramihi Marae along the coast from Tuaropaki.

### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with

the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest as provided for in section 47.

### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest.

## Statutory acknowledgement for Hawkens Lagoon Conservation Area

### Statutory area

The area to which this statutory acknowledgement applies is the area known as Hawkens Lagoon Conservation Area, the general location of which is indicated on Figure 5.

### Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area as set out below.

### Cultural, spiritual, historical, and traditional association of Ngā Rauru Kiitahi with the Hawkens Lagoon Conservation Area

Tapuarau is the name given to the area at the mouth of the Waitotara River within the Tapuarau Conservation Area. The main hapu of Ngaa Rauru Kiitahi that used Tapuarau included Ngāti Hine Waiatarua, Ngāti Hou Tipua, Ngā Ariki, and Ngāti Ruaiti. Ngaa Rauru Kiitahi has used Tapuarau as a seasonal campsite from where it has gathered mahinga kai in accordance with the values of Ngā Raurutanga. Tapuarau extends from the mouth of the Waitotara River to Pukeone and includes several small lagoons, including Tapuarau Lagoon, which are the source of tuna, flounder, mullet, whitebait, and inanga. During flooding, Ngaa Rauru Kiitahi was able to take tuna as it attempted to migrate from the nearby lagoons to the river mouth. The old marae named Hauriri was also situated in this area.

The area is still significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being is nourished.

### Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Hawkens Lagoon Conservation Area as provided for in sections 42 to 44; and

- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area as provided for in section 47.

### Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Hawkens Lagoon Conservation Area.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

### Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Hawkens Lagoon Conservation Area.

### Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Hawkens Lagoon Conservation Area.

## Statutory acknowledgement for Lake Beds Conservation Area

### Statutory area

The area to which this statutory acknowledgement applies is the area known as Lake Beds Conservation Area, the general location of which is indicated on Figure 5.

### Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Lake Beds Conservation Area as set out below.

### Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Lake Beds Conservation Area

The Lake Beds Conservation Area is located within the Moumahaki Lakes catchment area, and is situated inland above Kohi. These lakes and the surrounding area have great cultural significance for the Ngaa Rauru Kiiitahi hapu, predominantly Ngā Ariki.

These lakes were the main food source for those hapu. Temporary kaalinga and tuna weir were dotted along some of the lakes. Other food gathered from the lakes included kakahi and koura.

Special varieties of flaxes from around the lakes were used to make tuna traps and clothing.

### Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Lake Beds Conservation Area, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiiitahi with the Lake Beds Conservation Area, as provided for in section 47.

### Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiiitahi with the Lake Beds Conservation Area, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Lake Beds Conservation Area.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

### Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Lake Beds Conservation Area.

### Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Lake Beds Conservation Area.

## Statutory acknowledgement for Patea River

### Statutory area

The area to which this statutory acknowledgement applies the area known as Patea River, the general location of which is indicated and described on Figure 5.

### Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Patea River as set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Patea River**

Ngaa Rauru Kiitahi knows the Patea River by the name of Te Awanui o Taikehu. Te Awanui o Taikehu is the life force that has sustained all whaanau and hapu of Ngaa Rauru Kiitahi who have resided along the banks of the Patea River, and within this area. Ngā hapu o Ngaa Rauru Kiitahi who settled along Te Awanui o Taikehu include Rangitaawhi, Pukorokoro, Ngāti Hine, Kairakau, Ngāti Maika I, and Manaia.

There are many pa and kaainga situated along Te Awanui o Taikehu. The Mangaehu Pa is situated near, and nourished by, Te Awanui o Taikehu. Between Te Awanui o Taikehu and the Whenuakura River (Te Aarei o Rauru) are Maipu Pa and Hawaiki Pa. Along the Patea River are Owihio, Kaiwaka, Arakirikiri, Ngapapa-tara-iwi, Tutumahoe Pa and kaainga. Further along Te Awanui o Taikehu sits Parikaranga,

Rangitaawhi, and Wai-o-Turi Marae at the mouth of Te Awanui o Taikehu.

Wai-o-Turi Marae, which is situated above the south bank towards the mouth of Te Awanui o Taikehu, is the landing site of Turi (commander of the Aotea Waka) who came ashore to drink from the puni wai, hence the name of the marae, Wai-o-Turi.

Ngaa Rauru Kiitahi used the entire length of Te Awanui o Taikehu for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Te Awanui o Taikehu remains significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being nourished.

#### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and

- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Patea River, as provided for in section 47.

#### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Patea River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Patea River.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Patea River.

## **Statutory acknowledgement for Whenuakura River**

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, the general location of which is indicated and described on Figure 5.

## **Preamble**

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Whenuakura River as set out below.

## **Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Whenuakura River**

The Whenuakura River is the life force that sustained all Ngaa Rauru Kiiitahi whaanau and hapu that resided along and within its area, and is known by Ngaa Rauru Kiiitahi as Te Aarei o Rauru. The area along the Whenuakura River is known to Ngaa Rauru Kiiitahi as Paamatangi. One of the oldest known Ngaa Rauru Kiiitahi boundaries was recited as "*Mai Paamatangi ki Piraunui, mai Piraunui ki Ngawaierua, mai Ngawaierua ki Paamatangi*". Ngāti Hine Waiata is the main Ngaa Rauru Kiiitahi hapu of Paamatangi.

The Maipu Pā is situated near the western bank of Te Aarei o Rauru. There are many urupa sites and wahi tapu situated along Te Aarei o Rauru. Whenuakura Marae is also located on the banks of Te Aarei o Rauru.

Ngaa Rauru Kiiitahi hapu used the entire length of Te Aarei o Rauru for food gathering. Sources of food included tuna, whitebait, smelt, flounder, and sole.

Te Aarei o Rauru remains significant to Ngaa Rauru Kiiitahi not only as a source of kai that sustains its physical well-being, but also as a life force throughout the history of Paamatangi and for the people of Ngāti Hine Waiata over the generations.

## **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Whenuakura River, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiiitahi with the Whenuakura River, as provided for in section 47.

## **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiiitahi with the Whenuakura River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Whenuakura River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

## **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

## **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Whenuakura River.

## **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Whenuakura River.

# **Statutory acknowledgement for Waitotara River**

## **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Waitotara River, the general location of which is indicated and described on Figure 5.

## **Preamble**

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Waitotara River as set out below.

**Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Waitotara River**

The Waitotara River is the life force that sustains Ngaa Rauru Kiitahi. Many Ngaa Rauru Kiitahi hapu are located either along or near the Waitotara River. These include Ngā Ariki (Waipapa Marae), Ngāti Pourua (Takirau Marae), Ngāti Hine Waiatarua (Parehungahunga Marae), Te Ihupuku Marae, and Ngāti Hou Tipua (Whare Tapapa, Kaipo Marae). Ngāti Hou Tipua (Whare Tapapa, Kaipo Marae) is known by Ngaa Rauru Kiitahi as Te Pu-o-te-Wheke (head of the octopus), or the Ngaa Rauru Kiitahi headquarters.

Ngaa Rauru Kiitahi used the entire length of the Waitotara River for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Historically, NgāRauru Kiitahi also utilised the Waitotara River as a means of transport.

The Waitotara River remains significant to Ngaa Rauru Kiitahi as a symbol of a past mahinga kai source from which the physical wellbeing of Ngaa Rauru Kiitahi was sustained, and the spiritual wellbeing nourished.

**Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Waitotara River, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Waitotara River, as provided for in section 47.

**Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Waitotara River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Waitotara River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

**Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

**Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Waitotara River.

**Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Waitotara River.





Figure 5 Location of statutory acknowledgements for Ngaa Rauru Kiitahi

# Appendix XE: Ngāti Mutunga statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 53 of the Ngāti Mutunga Claims Settlement Act 2006, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 2 of the Ngāti Mutunga Claims Settlement Act 2006, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Part of Mimi-Pukearuhe Coast Marginal Strip
- Statutory Acknowledgement for Waitoetoe Beach Recreation Reserve
- Statutory Acknowledgement for Mimi Scenic Reserve
- Statutory Acknowledgement for Mimi Gorge Scientific Reserve
- Statutory Acknowledgement for Mataro Scenic Reserve
- Statutory Acknowledgement for Mt Messenger Conservation Area within the area of interest
- Statutory Acknowledgement for Taramoukou Conservation Area
- Statutory Acknowledgement for Onaero River Scenic Reserve
- Statutory Acknowledgement for Onaero Coast Marginal Strip
- Statutory Acknowledgement for Onaero River Marginal Strip
- Statutory Acknowledgement for Urenui River Marginal Strip
- Statutory Acknowledgement for Coastal Marine Area adjoining the area of interest
- Statutory Acknowledgement for Tangitu Conservation Area and Miro Scenic Reserve
- Statutory Acknowledgement for Onaero River
- Statutory Acknowledgement for Urenui River
- Statutory Acknowledgement for Waitara River within the area of interest
- Statutory Acknowledgement for Mimi River within the area of interest

The locations of the above areas are shown in Figure 6 below.

## Statutory acknowledgement for Part of Mimi-Pukearuhe Coast Marginal Strip

### Statutory area

The area to which this statutory acknowledgement applies is the area known as Part of Mimi-Pukearuhe Coast Marginal Strip, the general location of which is indicated on Figure 6.

### Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi-Pukearuhe Coast Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi-Pukearuhe Coast Marginal Strip to Ngāti Mutunga.

This is an area of high historic importance to Ngāti Mutunga and contains some significant pā sites including Titoki, Ruataki, Pukekarito and Whakarewa. Regulation rūnanga (meetings) were held in this area at Wai-iti.

Pukekarito in prior times was the home of Tarapounamu the ancestor of Ngai Tarapounamu. Later Taihuru occupied this pā. Taihuru was a great warrior. His fame reaching his mother's people (Taranaki Tūturu) they sent a war party against him to nip his powers in the bud. He was attacked at Pukekarito while he was making his paepae tuatara (toilet). Several messengers were dispatched to his house to alarm him but he coolly went on decking his hair with plumes and a whale bone comb. Having completed his paepae tuatara, he took up his taiaha and came forth. His appearance was greeted by his mother's

kin who by this time had almost secured the entrance of the pā, with a yell “Aha! Ka put ate mokomoko nei, te keakea a Tukemata”. (Aha! Now the lizard comes forth, the offspring of Tukemata). Taihuru replied by making an attack on the enemy, slaying two men at each blow of his taiaha, so that before long his kinsmen took flight. Taihuru fought in many other battles, and was in the end mortally wounded in a campaign against Taranaki Tūturu.

The Papatiki Stream is located in the area. It is tapu to Ngāti Mutunga because of the way in which it was used by northern invaders after a battle in pre-Pakeha times.

There remain important kaitaki links to the pātiki (flounder/sole) and tāmure (snapper) breeding grounds, as well as other fish sources.

A very important feature of the area is the presence of high papa rock cliffs. A particular fishing method was employed by Ngāti Mutunga which used the ledges hewn out by nature at the bottom of these cliffs. Mako (shark), tāmure and araara (trevally) were caught from these ledges in abundance.

Kōura (fresh water crayfish), kūtae (mussels), kina (sea eggs), pūua and other resources also contributed to a reliable and plentiful supply of seasonal fish from the area. Ngāti Mutunga developed a number of different ways of preserving these supplies for later consumption, using every part of the fish. This tradition has survived and continues to be used by Ngāti Mutunga as form of aroha koha (receptable contribution) at special hui.

Where the cliffs incline to sea level there are a number of tauranga waka (canoe berths) formerly used for fishing canoes. These have special significance to Ngāti Mutunga in their identification with the area as physical symbols of an historical association with it.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Part of Mimi-Pukearuhe Coast Marginal Strip as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

- (a) Except as expressly provided in this subpart,--
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (c) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Part of Mimi-Pukearuhe Coast Marginal Strip.
- (d) Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Part of Mimi-Pukearuhe Coast Marginal Strip.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Part of Mimi-Pukearuhe Coast Marginal Strip.

## **Statutory acknowledgement for Waitoetoe Beach Recreation Reserve**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Waitoetoe Beach Recreation Reserve, the general location of which is indicated on Figure 6.

## **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Waitoetoe Beach Recreation Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Waitoetoe Beach Recreation Reserve to Ngāti Mutunga.

The Waitoetoe Beach Recreation Reserve is situated near Arapawanui which was the pā of the brothers Tukutahi and Rehetaia (Mutunga's grandsons). Other important pā include Te Teketeke-o-Terehua (which is now an urupā), Omihi and Whakaahu. Ngāti Mutunga cultivated the area in former times. Waitoetoe was also a favourite fishing place and reef of Ngāti Mutunga. Tuatua, pipi, kūtae (mussels) and a number of fish species were caught off the coast here.

The coastal area was also generally known as Wai-roa (long waters) or Wai-ki-roa, which was the name of the long stretch of coastline from Waitoetoe to Tikoki in the north. At low tide Ngāti Mutunga would walk along the beach from Waitoetoe to Wai-iti.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of Waitoetoe Beach Recreation Reserve and surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which to use the resources of the Waitoetoe Beach Recreation Reserve. Proper and sustainable resource management has always been at the heart of the relationship of Ngāti Mutunga with the Waitoetoe Beach Recreation Reserve.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Waitoetoe Beach Recreation Reserve as provided for in sections 50 to 52; and

- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,—
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Waitoetoe Beach Recreation Reserve.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Waitoetoe Beach Recreation Reserve.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Waitoetoe Beach Recreation Reserve.

## **Statutory acknowledgement for Mimi Scenic Reserve**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Mimi Scenic Reserve, the general location of which is indicated on Figure 6.

### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Scenic Reserve as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Scenic Reserve**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi Scenic Reserve to Ngāti Mutunga.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mimi Scenic Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mimi Scenic Reserve as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,—
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mimi Scenic Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute,

regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mimi Scenic Reserve.

2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mimi Scenic Reserve.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mimi Scenic Reserve.

## **Statutory acknowledgement for Mimi Gorge Scientific Reserve**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Mimi Gorge Scientific Reserve, the general location of which is indicated on Figure 6.

### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Gorge Scientific Reserve set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Gorge Scientific Reserve**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi Gorge Scientific Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations.

These histories reinforce tribal identify, connection and continuity between generations and confirm the importance of the Mimi Gorge Scientific Reserve to Ngāti Mutunga.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mimi Gorge Scientific Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mimi Gorge Scientific Reserve as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

- (a) Except as expressly provided in this subpart,--
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (c) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mimi Gorge Scientific Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mimi Gorge Scientific Reserve.
- (d) Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mimi Gorge Scientific Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mimi Gorge Scientific Reserve.

## **Statutory acknowledgement for Mataro Scenic Reserve**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Mataro Scenic Reserve, the general location of which is indicated on Figure 6.

### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mataro Scenic Reserve set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mataro Scenic Reserve**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mataro Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identify, connection and continuity between generations and confirm the importance of the Mataro Scenic Reserve to Ngāti Mutunga.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mataro Scenic Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mataro Scenic Reserve as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
- (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mataro Scenic Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mataro Scenic Reserve.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mataro Scenic Reserve.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mataro Scenic Reserve.

## **Statutory acknowledgement for Mt Messenger Conservation Area within the area of interest**

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Mt Messenger Conservation Area within the area of interest, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mt Messenger Conservation Area within the area of interest. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mt Messenger Conservation Area within the area of interest to Ngāti Mutunga.

The Mt Messenger Conservation Area and its surrounding area of great cultural significance to Ngāti Mutunga. Mt Messenger Conservation Area was a significant mahinga kai source from which the physical wellbeing of Ngāti Mutunga was sustained and the spiritual wellbeing nourished.

The medicinal qualities of the plant life in the Mt Messenger Conservation Area were also important to Ngāti Mutunga. These cultural aspects of the Area constitute an essential part of the heritage of Ngāti Mutunga.

Kaka, kiwi, kahurangi kererū, tuna inanga (whitebait) and the pāua slug were traditional resources found here. To ensnare some of the abundant bird life within the area known today as Mt Messenger Conservation Area, the people of Ngāti Mutunga would hollow out miro longs as drinking troughs for the birds such as kererū and wait in hiding for them.

Papa clay types found here were used for dying muka. A range of temperate zone flora was also available to Ngāti Mutunga from this area including beech, rata, rimu, and a variety of ferns. A range of materials was also collected from the area for waka, building and clothing.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of the Mt Messenger Conservation Area and surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which to use the resources of the Mt Messenger Conservation Area. Proper and sustainable resource management has always been at the heart of the relationship with Ngāti Mutunga with the Mt Messenger Conservation Area. The sustainable management of the resources of the Area remains important to Ngāti Mutunga today.

The traditional values of mana, mauri, whakapapa and tapu are central to the relationship of Ngāti Mutunga with the Mt Messenger Conservation Area. One of the roles of Ngāti Mutunga as tangata whenua is to protect the mauri of the Mt Messenger Conservation Area. Whakapapa defines the genealogical relationship of Ngāti Mutunga to the Area. Tapu describes the sacred nature of the Area to Ngāti Mutunga. Mana, mauri, whakapapa and tapu are all important spiritual elements of the relationship of Ngāti Mutunga with the Mt Messenger Conservation Area. All of these values remain important to the people of Ngāti Mutunga.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mt Messenger Conservation Area within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mt Messenger Conservation Area within the area of interest.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mt Messenger Conservation Area within the area of interest.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mt Messenger Conservation Area within the area of interest.

## Statutory acknowledgement for Taramoukou Conservation Area

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Onaero River Scenic Reserve, the general location of which is indicated on Figure 6.

### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Taramoukou Conservation Area set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Taramoukou Conservation Area**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Taramoukou Conservation Area. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Taramoukou Conservation Area to Ngāti Mutunga.

The Taramoukou Conservation and its surrounding area are of great cultural significance to Ngāti Mutunga. Taramoukou was a significant mahinga kai source from which the

physical wellbeing of Ngāti Mutunga was sustained and their spiritual wellbeing nourished. Kiwi, kaka, kererū, miro and a range of other plants were gathered as food and for medicinal purposes. The Mangahewa, Makara and Taramoukou streams also supplied tuna (eels) and kōura (freshwater crayfish). A range of materials was also collected from the area for waka, building and clothing.

Important Ngāti Mutunga pā sites in an nearby the area include Ruahine, Whakairongo, Takapuikaka and Tikorangi. These inland pā were used as places of refuge in times of war. They were also important seasonal food gathering pā. Many other temporary kāinga and campsites can be found throughout the conservation area.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of the Taramoukou Conservation Area and surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which to use the resources of the Taramoukou Conservation Area. Proper and sustainable resource management has always been at the heart of the relationship with Ngāti Mutunga with the Taramoukou Conservation Area. The sustainable management of the resources of the area remains important to Ngāti Mutunga today.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Taramoukou Conservation Area within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Taramoukou Conservation Area within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,—
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of

Ngāti Mutunga with Taramoukou Conservation Area within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Taramoukou Conservation Area.

2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Taramoukou Conservation Area.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Taramoukou Conservation Area.

## Statutory acknowledgement for Onaero River Scenic Reserve

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Onaero River Scenic Reserve, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Scenic Reserve set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Scenic Reserve**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero River Scenic Reserve. For Ngāti Mutunga, traditions such

as these represent the links between the world of the gods and present generations. These histories reinforce tribal identify, connection and continuity between generations and confirm the importance of the Onaero River Scenic Reserve to Ngāti Mutunga.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero River Scenic Reserve within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero River Scenic Reserve within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero River Scenic Reserve within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero River Scenic Reserve.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero River Scenic Reserve.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero River Scenic Reserve.

## Statutory acknowledgement for Onaero Coast Marginal Strip

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Onaero Coast Marginal Strip, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero Coast Marginal Strip set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero Coast Marginal Strip**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero Coast Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identify, connection and continuity between generations and confirm the importance of the Onaero Coast Marginal Strip to Ngāti Mutunga.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero Coast Marginal Strip within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and

- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero Coast Marginal Strip within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
- (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero Coast Marginal Strip within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero Coast Marginal Strip.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero Coast Marginal Strip.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero Coast Marginal Strip.

## Statutory acknowledgement for Onaero River Marginal Strip

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Onaero River Marginal Strip, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Marginal Strip set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Marginal Strip**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero River Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Onaero River Marginal Strip to Ngāti Mutunga.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero River Marginal Strip within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero River Marginal Strip within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
- (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero River Marginal Strip within the area of interest (as described in the relevant statutory acknowledgement) than that person would give

under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero River Marginal Strip.

2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero River Marginal Strip.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero River Marginal Strip.

## Statutory acknowledgement for Urenui River Marginal Strip

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Urenui River Marginal Strip, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River Marginal Strip set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River Marginal Strip**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Urenui River Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations.

These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Urenui River Marginal Strip to Ngāti Mutunga.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Urenui River Marginal Strip within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Urenui River Marginal Strip within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,—
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Urenui River Marginal Strip within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Urenui River Marginal Strip.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Urenui River Marginal Strip.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Urenui River Marginal Strip.

## **Statutory acknowledgement for Coastal Marine Area adjoining the area of interest**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Coastal Marine Area adjoining the area of interest, the general location of which is indicated on Figure 6.

### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Coastal Marine Area. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Coastal Marine Area to Ngāti Mutunga.

A taniwha named Rangitotohu protects the Taranaki coastline. This taniwha is remembered in the whakatāuakī “Ka kopa, me kopa, kit e ana o Rangitotohu” (Gone, disappeared as if into the cave of Rangitotohu). Rangitotohu would snatch passers-by and draw them into his cave. If a person was to violate rahui (temporary restrictions) or be disrespectful when fishing or gathering kaimoana they would be snatched by Rangitotohu.

The resources found along the coast of Nga Tai a Kupe (the tides of Kupe) have, since time immemorial, provided the people of Ngāti Mutunga with a constant supply of food resources. The pūpū (cats eye), pāpaka (crabs), pipi, tuatua and many other species of reef inhabitants. Hāpuku (groper), moki (trumpeter fish), kanae (mullet), mako (shark), pātiki

(flounder) and tāmure (snapper) swim freely between the many reefs that can be found stretching out into the waters of Nga Tai a Kupe and along the Ngāti Mutunga coastline.

Names such as Pakihi, Maruwehi, Onepoto, Waitoetoe, Waikiroa, Paparao, Kukuriki, and Owei depict the whereabouts of either a fishing ground or fishing reef.

A very important feature of the coastline is the presence of high perpendicular papa rock cliffs. These cliffs were broken by the Mimi, Urenui and Onaero rivers which forced their way out into the wide expanse of Nga Tai a Kupe. A unique fishing method was developed by Ngāti Mutunga using the ledges hewn out by nature at the bottom of these cliffs. Mako, tāmure, kahawai, and araara (trevally) were caught off these ledges in abundance.

The cliffs on the shores also provided a plentiful supply of titi (mutton bird) and karoro (seagull). Kororā (penguin) were also harvested at certain times of the year. Ngāti Mutunga referred to Ngā Tai a Kupe as “te pātaka o te iwi” (the cupboard of food of the people). The coastline was Ngāti Mutunga’s livelihood in prior times. It provided Ngāti Mutunga with all the resources of life they required to survive.

All along the shoreline from Titoki to Waiau food can be gathered depending on the tides, weather and time of the year.

Ngāti Mutunga has, and continues to exercise, its customary rights on the coastline from Titoki in the north to Waiau in the south. Ngāti Mutunga iwi and whānau have, and continue to exercise, food gathering according to the values and tikanga of Ngāti Mutunga.

Where the cliffs incline to sea level there are a number of tauranga waka (canoe berths) formerly used for fishing canoes. These have special significance to Ngāti Mutunga in their identification with the area as physical symbols of an historical association with it.

There are many sites of cultural, historical and spiritual significance to Ngāti Mutunga along the coastal area from Titoki to Waiau. Important kāinga are situated along this coastal area. These include Pihanga (originally the home of Uenuku), Maruwehi (the pē of Kahukura) and Te Kaweka (the birth place of Mutunga) which are situated on the cliffs near the mouth of the Urenui River, Oropapa, Te Mutu-o-Tauranga which is on the coast north of the Urenui River, Pukekohe, Arapawanui, Omihi, Hurita (near Mimi), Ruataki, Pukekaritua and Titoki (Wai-iti).

Ngāti Mutunga people were often cremated, rather than buried in urupā. Many of the points jutting out into the sea along the Ngāti Mutunga coastline are tapu as they were sites used for this ritual.

Throughout the years Ngāti Mutunga has exercised custodianship over the Coastal Marine Area and has imposed rahui (temporary restrictions) when appropriate, restricting the taking of mussels, pipi, tuatua and other kaimoana. Proper and sustainable management of the Coastal Marine Area has always been at the heart of the relationship between Ngāti Mutunga and the Coastal Marine Area.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Coastal Marine Area adjoining the area of interest within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

- (a) Except as expressly provided in this subpart,--
- (b) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (c) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Coastal Marine Area adjoining the area of interest.
- (d) Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Coastal Marine Area adjoining the area of interest.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Coastal Marine Area adjoining the area of interest.

## Statutory acknowledgement for Tangitu Conservation Area and Miro Scenic Reserve

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Coastal Marine Area adjoining the area of interest, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Tangitu Conservation Area and Miro Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Tangitu Conservation Area and Miro Scenic Reserve to Ngāti Mutunga.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of the Tangitu Conservation Area, the Miro Scenic Reserve and the surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai, and other taonga and ways in which to use the resources of the Tangitu Conservation Area and the Miro Scenic Reserve. Proper and sustainable resource management has always been at the heart of the relationship of Ngāti Mutunga with the Tangitu Conservation Area and the Miro Scenic Reserve. The sustainable management of the resources of the area remains important to Ngāti Mutunga today.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Tangitu Conservation Area and Miro Scenic Reserve within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Tangitu Conservation Area and Miro Scenic Reserve.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Tangitu Conservation Area and Miro Scenic Reserve.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Tangitu Conservation Area and Miro Scenic Reserve.

## **Statutory acknowledgement for Onaero River**

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Onaero River, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero River. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Onaero River to Ngāti Mutunga.

The Onaero River was important to Ngāti Uenuku (also known as Ngāti Tupawhenua). Ruaoone had Ruawahia and from Ruawahia came Uenuku, the ancestor of Ngāti Uenuku. Kaitangata also has a strong association with the Onaero River.

Puketapu and Pukemiro pā are situated at the mouth of the river. Other pā along the banks of the Onaero River include Pukemapou, Moerangi, Te Ngaio, Tikorangi, Kaitangata and Ruahine which are all located upstream. Pukemapou was the home of Uenuku's two grandsons Pouwhakarangona and Poutitia. Pourangahau was the name of their famous whata kai.

Ngāti Mutunga utilised the entire length of the Onaero River for food gathering. The mouth of the river provided a plentiful supply of pipi, pūpū (cats eyes), pātiki (flounder), kahawai and other fish. Inanga (whitebait) were caught along the banks of the river. Tuna (eel) and piharau (lamprey eel) were caught in the upper reaches of the river. Piharau (lamprey eel) were caught using whakaparu which was a technique developed by placing rarauhe (bracken fern) in therapids of the river in times of flood.

Ngāti Mutunga people have used the Onaero River to access sacred sites along its banks. The Onaero River and its banks have been occupied by the ancestors of Ngāti Mutunga since before the arrival of the Tokomaru and Tahatuna waka. The Onaero River was a spiritual force for the ancestors of Ngāti Mutunga and remains so today.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Onaero River, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to the people of Ngāti Mutunga today.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāti Mutunga whanui to the Onaero River.

The Onaero River has always been an integral part of the social, spiritual and physical lifestyle of the Ngāti Mutunga people. There are specific areas of the Onaero River that Ngāti Mutunga people would bathe in when they were sick. The river was also used for baptising babies.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero River within the area of interest as provided for in sections 50 to 52; and

- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero River within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,—
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero River.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero River.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero River.

## Statutory acknowledgement for Urenui River

### Statutory area

The area to which this statutory acknowledgement applies is the area known as Urenui River, the general location of which is indicated on Figure 6.

### Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River set out below.

### Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Urenui River. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Urenui River to Ngāti Mutunga.

The name Urenui derives from Tu-Urenui the son of Manaia who commanded the Tahatuna waka. Upon landing Manaia named the river after his son Tu-Urenui as an acknowledgement of his mana in the area. Upon his arrival the descendants of Pohokura and Pukearuhe were residing in the area. The river was also known as Te Wai o Kura. Kura was the ancestor of the Ngāti Kura hapū who in prior times occupied this area. This name is depicted in the Ngāti Mutunga pepeha:

*Mai Te Wai o Mihirau (Mimi River) ki Te Wai o Kuranui (Urenui), koia tera ko te whakarangunga taniwha*

The Urenui River has been a treasured taonga and resource of Ngāti Mutunga. Traditionally the Urenui River and, in times past, the associated wetland area have been a source of food as well as a communication waterway.

The people of Ngāti Mutunga lived in many pā located along the banks of the Urenui River. The Urenui River was referred to as *“he wai here Taniwha* this figurative expression was used because of the large number of pā along the banks of the river. These pā included Pihanga, Pohokura, Maruehi, Urenui, Kumarakaiaimo, Ohaoko, Pa-oneone, Moeariki, Horopapa, Te Kawa, Pa-wawa, Otumoana, Orongowhiro, Okoki, Pukewhakamaru and Tutu-manuka. The riverbanks thus became the repository of many koiwi tangata.

Ngāti Mutunga utilized the entire length of the Urenui River for food gathering. The mouth of the river provided a plentiful supply of kutae (mussels), pipi, and pūpū (cats eye). Patiki (flounder) kahawai and other fish were caught throughout the year depending on the tide and the moon. Inanga (whitebait) were caught by the kete full. Tuna (eel) and piharau (lamprey eel) were caught in the upper reaches of the river. Piharau were caught using whakaparu, which was a technique developed by placing rarauhe (bracken fern) in the rapids of the river in times of flood.

Ngāti Mutunga people have used the Urenui River to access sacred sites along its banks. The Urenui River and its banks have been occupied by the ancestors of Ngāti Mutunga since before the arrival of the Tokomaru and Tahatuna. Such ancestors included the descendants of Tokatea. The Urenui River was a spiritual force for the ancestors of Ngāti Mutunga and remains so today.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Urenui River, the relationship of the people with the river and their dependence on it, and tikanga for the proper and sustainable utilization of resources. All of these values remain important to Ngāti Mutunga today.

All elements of the natural environment possess a life force and all forms of life are related. Maui is a critical element of the spiritual relationship of Ngāti Mutunga to the Urenui River. Ngāti Mutunga also used the Urenui River for baptizing babies. When members of Ngāti Mutunga were sick or had skin problems they were taken to the river to be healed.

The Urenui River has always been an integral part of the social, spiritual and physical lifestyles of Ngāti Mutunga.

### Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Urenui River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Urenui River within the area of interest as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Urenui River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Urenui River.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Urenui River.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Urenui River.

## **Statutory acknowledgement for Waitara River within the area of interest**

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Waitara River within the area of interest, the general location of which is indicated on Figure 6.

### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitara River within the area of interest set out below.

### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitara River within the area of interest**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Waitara River within the Area of interest. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identify, connection and continuity between generations and confirm the importance of the Waitara River within the Area of interest to Ngāti Mutunga.

The Waitara River takes its name from Te Whaitara-nui-ā-Wharematangi-i-te-kimi-i-tana-matua-i-ā-Ngarue. The Waitara River is important to Ngāti Mutunga as a boundary marker between Ngāti Mutunga and Ngāti Maru-Wharanui.

### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Waitara River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Waitara River within the area of interest as provided for in section 55.

### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of

Ngāti Mutunga with Waitara River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Waitara River within the area of interest.

2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Waitara River within the area of interest.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Waitara River within the area of interest.

## Statutory acknowledgement for Mimi River within the area of interest

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Mimi River within the area of interest, the general location of which is indicated on Figure 6.

#### **Preamble**

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi River within the area of interest set out below.

#### **Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi River within the area of interest**

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi River within the Area of interest. For Ngāti Mutunga,

traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi River within the area of interest to Ngāti Mutunga.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Mimi River, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to the people of Ngāti Mutunga today.

The full name of the Mimi River is Mimitangiatua. The river was also known as Te Wai o Mihirau. Mihirau was an ancestress of the Te Kekerewai hapū and was a prominent woman of her time. The name Te Wai o Mihirau is referred to in the Ngāti Mutunga pepeha:

*Mai Te Wai o Mihirau (Mimi River) ki Te Wai o Kuranui (Urenui), koia tera ko te whakararunganui taniwha*

There are a number of pā and kāinga located along the banks of the Mimi River. These include Mimi-Papahutiwai, Omihi, Arapawanui, Oropapa, Pukekohe, Toki-kinikini and Tupari. There were also a number of taupā (cultivations along the banks of the river).

Arapawanui was the pā of Mutunga's famous grandsons Tukutahi and Rehetaia. They were both celebrated warriors, especially Rehetaia who took the stronghold of Kohangamouku belonging to Ngāti Mutunga's southern neighbours Ngati Rahiri.

The Mimi River and associated huhi (swampy valleys), ngahere (large swamps) and repo (muddy swamps) were used by Ngāti Mutunga to preserve taonga. The practice of keeping wooden taonga in swamps was a general practice of the Ngāti Mutunga people.

The Mimi River has nourished the people of Ngāti Mutunga for centuries. Pipi, Pūpū (cats eye), tio (oyster) and pātiki (flounder) were found in abundance at the mouth of the river. Inanga (whitebait) were caught all along the banks of the river.

The Mimi River has always been an integral part of the social, spiritual and physical lifestyle of the Ngāti Mutunga people. Ngāti Mutunga also used the Mimi River for baptizing babies. When members of Ngāti Mutunga were sick or had skin problems they were taken to the river to be healed.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāti Mutunga whanau to the Mimi River.

To the people of Ngāti Mutunga, all the rivers and their respective valleys are of the utmost importance because of their physical, spiritual and social significance in the past, present and future.

#### **Purposes of statutory acknowledgement**

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mimi River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mimi River within the area of interest as provided for in section 55.

#### **Exercise of powers and performance of functions and duties not affected**

Under section 59 –

1. Except as expressly provided in this subpart,--
  - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
  - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mimi River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mimi River within the area of interest.
2. Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mimi River within the area of interest.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mimi River within the area of interest.

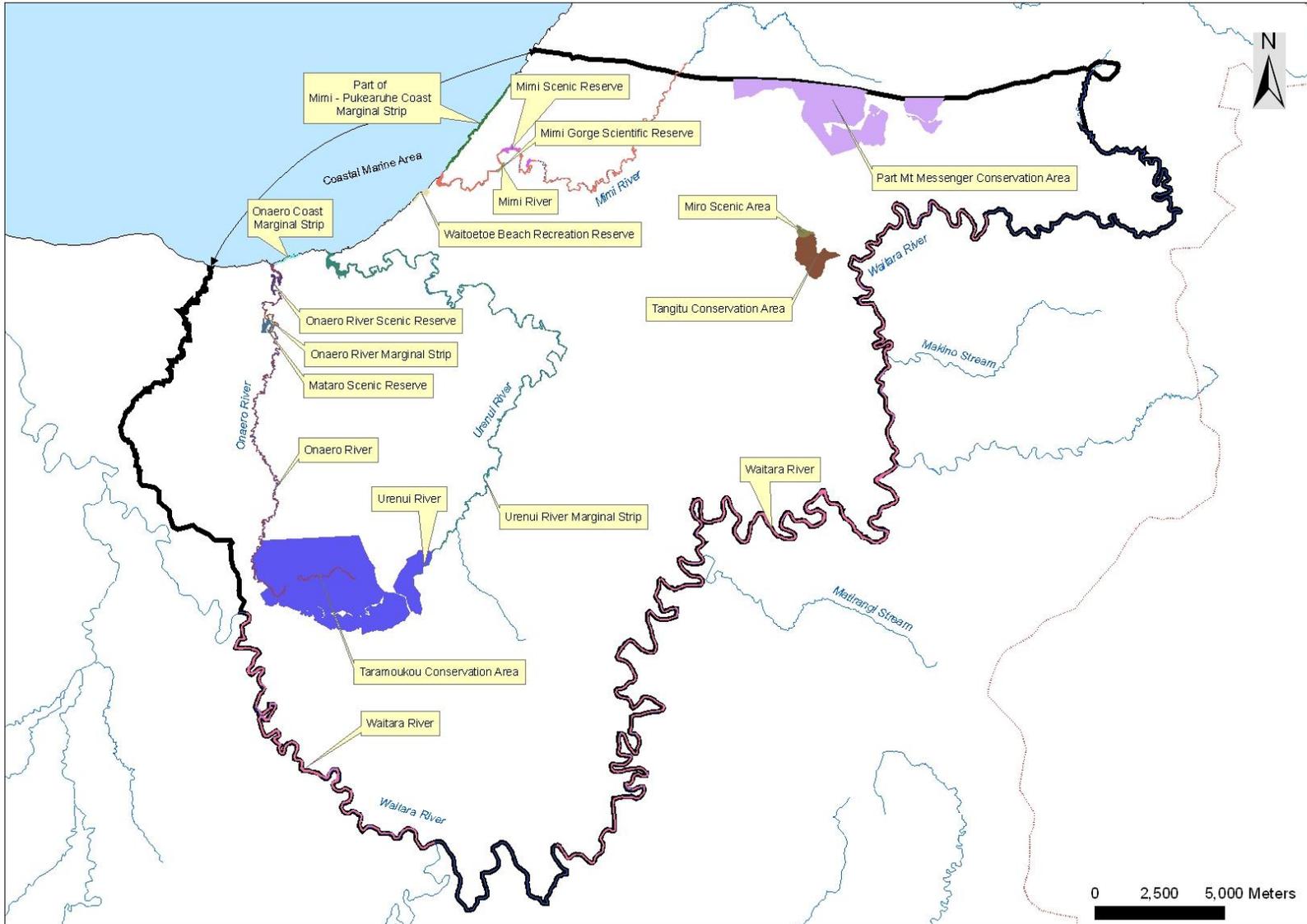


Figure 6 Location of statutory acknowledgements for Ngāti Mutunga

# Appendix XF: Taranaki statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 93 of the Taranaki Claims Settlement Act 2003, information recording statutory acknowledgements is hereby attached to the *Regional Policy Statement for Taranaki*. The information includes relevant provisions of Subpart 5 of Part 5 of the Taranaki Claims Settlement Act 2003 in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Otoki Gorge Scenic Reserve (Schedule 5 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Te Moananui A Kupe O Ngati Ruanui (Schedule 6 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Tangahoe River (Schedule 7 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Whenuakura River (Schedule 8 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Patea River (Schedule 9 Ngati Ruanui Claims Settlement Act 2003)

The statements of association of Taranaki Iwi are set out below. These are statements of Taranaki Iwi's particular cultural, spiritual, historical and traditional association with identified areas.

### Coastal Marine Area

Statutory Area	Location
Taranaki Iwi coastal marine area	(as shown on deed plan OTS-053-55)

The following statement of association by Taranaki Iwi applies to the above statutory area.

Taranaki Iwi exercise mana whenua and mana moana from Paritutu in the north around the western coast of Taranaki Maunga to Rāwa o Turi stream in the south and from these boundary points out to the outer extent of the exclusive economic zone.

The traditions of Taranaki Iwi illustrate the ancestral, cultural, historical and spiritual association of Taranaki Iwi to the coastal marine area within the Taranaki Iwi rohe ("Coastal Marine Area"). The seas that bound the Coastal Marine Area are known by Taranaki Iwi as Ngā Tai a Kupe (the shores and tides of Kupe). The coastal lands that incline into the sea are of high importance to Taranaki Iwi and contain kainga (villages), pā (fortified villages), pūkawa (reefs) for the gathering of mātaitai (seafood), tauranga waka or awa waka (boat channels), tauranga ika (fishing grounds) and mouri kōhatu (stone imbued with spiritual significance). The importance of these areas reinforces the Taranaki Iwi tribal identity and provides a continuous connection between those Taranaki Iwi ancestors that occupied and utilised these areas.

Prior to the proclamation and enforcement of the confiscation of lands within the Taranaki Iwi rohe (area of interest), Taranaki Iwi hapū occupied, cultivated, fished, harvested and gathered mātaitai in the Coastal Marine Area. The entire shoreline from Paritūtū to the Rāwa o Turi was critical to daily life such as fishing, food gathering, cultivations and ceremonies. The sea and coastal reefs provided a staple food source with fertile volcanic soils providing excellent growing conditions for large community cultivations. Food preparation and harvesting was ultimately dependant on the lunar calendar that controlled tides and other environmental conditions, but the best times for gathering and harvesting are known by Taranaki Iwi as Ngā Tai o Mākiri (the tides of Mākiri). These generally occur in March and September.

The small boulder reefs are possibly one of the most unique features of the Taranaki Iwi coastline providing special habitat for all matters of marine life. Resources found along the extent of the coastline of Ngā Tai a Kupe provide Taranaki Iwi with a constant supply of food. The reefs provide pāua (abalone), kina (sea urchin), kōura (crayfish), kūkū (mussels), pūpū (mollusc), ngākihi (limpets), pāpaka (crab), toretore (sea anemone) and many other reef species, while tāmure (snapper), kahawai, pātiki (flounder), mako (shark) and other fish are also caught along the coastline in nets and on fishing lines.

Also evident in the reefs are the monolithic tauranga waka or awa waka where large boulders were moved aside by hand to create channels in the reef. These provided access to offshore fishing grounds and prevented boats from being smashed onto rocks by the heavy surf. Large kāinga were also built around the tauranga waka providing Taranaki Iwi hapū with the infrastructure for efficient fishing operations. Whenever possible, fishing nets were also set in the tauranga waka. Fishing also took the form of separate, smaller pool like structures, or tauranga ika. They were baited and had a small opening on the seaward end of the structure to attract fish. On an incoming tide fish would enter the pools to feed and would then be chased out to be caught by a net placed over the small entranceway.

Taranaki Iwi oral traditions recount that in former times, the extent of large boulder reefs in the central part of Taranaki Iwi was much larger than those seen today. The large sandy areas in the central part of the Taranaki Iwi rohe is an occurrence attributed to Mangohuruhuru. Mangohuruhuru was from the South Island and was bought here by Taranaki Iwi rangatira Pōtikiroa and his wife Puna-te-rito, who was Mangohuruhuru's daughter. Mangohuruhuru settled on the coastal strip between Tipoka and Wairua and built a house there called Te Tapere o Tūtahi. However, the large rocky Taranaki coastline was foreign to him and he longed for the widespread sandy beaches of his homeland. He warned Taranaki Iwi and told them he was calling the sands of Tangaroa. This phenomenon came as a large tsunami and totally buried Mangohuruhuru and his kainga. His final words to Taranaki Iwi were:

*'ka oti taku koha ki a koutou e ngā iwi nei, ko ahau anō hei papa mō taku mahi, hei papa anō hoki mō koutou - This will be my parting gift for you all, that it will come at the cost of my life, but will provide a future foundation'*<sup>62</sup>

The sands brought by Mangohuruhuru continue to provide excellent growing conditions for many of the low lying seaside kāinga within the central part of the Taranaki Iwi rohe.

The Coastal Marine Area was also the main highway for many Taranaki Iwi uri (descendants) when travelling between communities, as most of the coastal lands were free of the thick bush found a little higher towards the mountain. Coastal boundary stones and mouri kōhatu are another unique cultural feature within the Taranaki Iwi rohe and they form a highly distinctive group, not commonly found elsewhere in the country. Many of these were invariably carved with petroglyphs in spiral form and were often located in accessible areas, within pā earthworks and open country. However, most of them were nestled in the reef on the seashore alongside tauranga waka, tauranga ika, pūkāwa, pūaha (river mouths) and below or adjacent to well-known pā sites.

Tahu and Turi the twin kaitiaki (guardians) mark the mouth of the Tapuae River<sup>63</sup>, Te Pou o Tamaahua in Ōākura, Te Toka a Rauhoto (originally located a little inland on the south side Hangātāhua River mouth) Opu Opu (also a tauranga waka and tauranga ika) in the bay off Te Whanganui Reserve, Kaimaora, Tuha, Tokaroa and Omanu in the reefs at Rahotū and Matirawhati the stone boundary marker between Ngāti Haua (a hapū of Ngāruahine) and Taranaki Iwi on the reef of the Rāwa o Turi river mouth. These mouri kōhatu continue to be revered by Taranaki Iwi hapū.

Although access to many areas along the Coastal Marine Area was discontinued as a consequence of confiscation, Taranaki Iwi have continued to exercise custodianship over those areas accessible to Taranaki Iwi. Many Taranaki Iwi hapū have imposed rāhui (temporary restrictions) over sites, restricting the taking of kūkū, kina, pāua and other mātaitai. Proper and sustainable management of the Coastal Marine Area has always been at the heart of the relationship between Taranaki Iwi and the Taranaki Iwi coastline.

The names of some of the Taranaki Iwi Coastal Marine Area sites of significance such as pūkawa, tauranga ika and tauranga waka are listed in Appendix A.

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<sup>62</sup> Te Kahui Kararehe unpublished manuscript

<sup>63</sup> George, Simon. 2012, Sites and Rohe of Historical Significance to Taranaki Iwi. Unpublished paper

## Appendix A

### Coastal Marine Area Sites of Significance

From Paritutu to the Ōākura River		
Name of site	Classification	Iwi interests
Paritūtū	<i>He maunga</i> (mountain)	Te Ātiawa
Motu-o-Tamatea	He moutere ( <i>island</i> )	Te Ātiawa
Tokatapu	He moutere	Te Ātiawa
Koruanga	He moutere	Te Ātiawa
Waikaranga	He moutere	Te Ātiawa
Tokamapuna	He moutere	Te Ātiawa
Motumahanga	He moutere	Te Ātiawa
Moturoa	He moutere	Te Ātiawa
Mataora	He moutere	Te Ātiawa
Pararaki	He moutere	Te Ātiawa
Ōnukutaipari	<i>He oneroa</i> (long stretch of beach)	Te Ātiawa
Te Parapara	<i>He urupā/ He onepū</i> (burial ground/sandy dune)	
Waioratoki (Waiorotoki)	He pūkāwa (reef)	
Papataniwha	He pūkāwa	
Ōmata	He pūkāwa / He kāinga (reef/ <i>village</i> )	
Tokatapu	He pūkāwa	
Kapowairua	He pūkāwa	
Te Papahineroa	He pūkāwa	

From Paritutu to the Ōākura River		
Name of site	Classification	Iwi interests
Omuna	<i>He pā</i> (fortified village)	
Haurangi	He kāinga	
Ōtete	He pā	
Huataua	He kāinga	
Rangiuru	He kāinga	
Paerewa	He kāinga	
Ngātokatūrua	He pūkāwa	
Te Arawaire	He pūkāwa	
Wāhitere	He pūkāwa	
Tarakatea	He pūkāwa	
Kāwhiaiti	He pā / He kāinga	
Te Awahahae	He pā	
Tauwhare	He pūkāwa	
Kereata	He pūkāwa	
Ko Hinetaupea	He pūkāwa	
Kekeorangi	He pā	
Waikukakuka	He tauranga waka ( <i>boat channel</i> )	
Ōmuna	He pā	
Tokataratara	He pūkāwa	
Te Kahakaha	He kāinga	
Oruarire	He pūkāwa	

FROM THE ŌĀKURA RIVER TO HANGATAHUA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Okorotua	He kāinga/ He pā	
Te Ruatahi	He oneroa	
Te Patunga	He oneroa	
Te Ahu a Tama	He oneroa	
Ahipaka	He kāinga	
Pukeariki	He kāinga	
Te Ruaatumanu	He pūkāwa	
Oau	He pā/ He kāinga	
Hāhāwai	He kāinga	
Ōraukawa	He pūkāwa	
Te Pangaterangi	He kāinga	
Tūrakitōa	He kāinga	
Hauranga	He pā	
Ūpoko ngāruru	He kāinga / He pūkāwa	
Te Wahanga	He pūkāwa	
Te Mutu	He pūkāwa	
Poatamakino	He pūkāwa	
Te Rapa	He pūkāwa	
Kaipāpaka	He pūkāwa	
Te Waiho	He pūkāwa	
Kohoki	He pūkāwa	
Tarare	He pūkāwa	

FROM THE ŌĀKURA RIVER TO HANGATAHUA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Puketahu	He pūkāwa	
Pirirata	He pūkāwa	
Rataua	He kāinga	
Moanatairi	<i>He kāinga / He māra (village / garden)</i>	
Pukehou	He kāinga / He māra	
Tataraimaka	He pā/ tauranga waka	
Haurapari	He kāinga	
Puketehe	He kāinga / He māra	
Kaiwekaweke	He pūkāwa	
Tukitukipapa	He pā	
Maitahi	He kāinga / he tauranga waka / he pūkāwa	
Takaipakea	He kāinga	
Waikoukou	He kāinga	
Te Raroa	He kāinga	
Tiroa	He kāinga	
Huakiremu	He kāinga	
Piritakini	He kāinga	
Parawaha	He pa/ He kāinga / He urupā	
Kaihihi	He kāinga	
Puketarata	He kāinga	
Mounu Kahawai	He pā	

FROM THE ŌĀKURA RIVER TO HANGATAHUA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Totoaro	He huhu/ He repo ( <i>swamp/ marsh</i> )	
Whareatea	He pā / He kāinga / He tauranga waka	

HANGATAHUA RIVER TO KAPOAIAIA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Whakapohau	He onepū	
Ngātokamaomao	He tauranga waka	
Mokotunu	He kāinga / He tauranga waka / He urupā / He pūkāwa	
Taihua	He kāinga / He tauranga waka / He urupā / He pūkāwa	
Kaihamu	He kāinga	
Wareware	He kāinga	
Tuiraho	He kāinga / He tauranga waka / He urupā / He pūkāwa	
Warea Redoubt/Bradys Grave	He urupā	
Warea	He kāinga	
Tarakihi	He kāinga / He tauranga waka	
Te Whanganui	He kāinga	
Te Opuopu	He tauranga waka / He tauranga ika / He tokatūmoana	
Te Putatuapō	He kāinga / He pūkāwa	

Waikauri	He Tauranga ika	
Ihutangi	He kāinga / He pūkāwa	
Okawa	He kāinga / He pūkāwa	
Ikaroa	He kāinga / He pūkāwa	
Te Mapua / Te Awaatuteangi	He tauranga waka / He Tauranga ika	

KAPOAIAIA RIVER TO MOUTOTI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Mataurukuhia	He kāinga / He pūkāwa	
Te Awa Akuaku	He tauranga waka	
Ko Manu	He tokatūmoana ( <i>rock of significance</i> )	
Tipoka	He kāinga / He tauranga waka / He māra	
Tokaroa	He tauranga waka / He pūkāwa	
Waitaha	He kāinga / He pūkāwa	
Wairua (Wairuangangana)	He kāinga / He pūkāwa	
Ōtūkorewa	He kāinga	
Kaimaora	He pūkāwa	
Otamaariki	He pūkāwa	
Aratetarai	He kāinga	
Opoe	He pūkāwa	
Urupiki	He pūkāwa	

KAPOAIAIA RIVER TO MOUTOTI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Tokapiko	He whanga / He pūkāwa	
Owhae	He pūkāwa	
Pukerimu	He kāinga	
Papanui	He pūkāwa	
Okopiri (Okopere)	He kāinga	
Kapukapu	He pūkāwa	
Okahu	He pūkāwa	
Kairoa	He urupā	
Matawhero	He whanga/ He pūkāwa ( <i>bay / reef</i> )	
Orapa	He pūkāwa	
Taupata	He pūkāwa	
Patarakini	He pūkāwa	
Opokere	He pūkāwa	
Oraukawa	He kāinga / He tauranga waka / He pūkāwa	
Ōtūwhenua	He kāinga	
Te Kuta	He pūkāwa	
Awawaroa	He pūkāwa	
Tangihāpu	He pūkāwa	
Te Karangī	He pūkāwa	
Paparoa	He urupā	

MOUTOTI RIVER TO RĀWA O TURI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Moutoti	He tauranga waka	
Pukawa	He pūkāwa	
Waitakiato	He kāinga / He tauranga waka	
Ōtūparaharore	He pūkāwa	
Pukeariki	He kāinga	
Kaiaho	He rua taniwha ( <i>taniwha lair</i> )	
Ngāmotu	He pūkāwa	
Te Tuahu	He urupā	
Waiwiri	He tauranga waka / He pūkāwa	
Arawhata	He tauranga waka / He pūkāwa	
Otahi (Te Namu)	He tauranga waka / He pūkāwa	
Taura harakeke	He tauranga waka	
Te Namu Iti	He pā / He kāinga	
Te Namu	He pā / He urupā	
Te Moua	He kāinga	
Tūkapo	He kāinga	
Taumatakahawai	He pūkāwa / He pā	
Tukutukumanu	He kāinga	
Matakaha	He pā / He kāinga	
Pukekohatu	He pā / He kāinga / He pūkāwa	
Mangahume	He pūkāwa	

MOUTOTI RIVER TO RĀWA O TURI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Waiteika	He pūkāwa	
Hingaimotu	He kāinga	
Mātaikahawai	He pā /He kāinga	
Kororanui	He roto ( <i>lake</i> )	Ngāruahine
Oruapea	He kāinga	Ngāruahine
Pūhara te rangi	He pā	Ngāruahine
Watino	He kāinga	Ngāruahine
Papaka (Papakakatiro)	He pā / He kāinga	Ngāruahine
Ōtūmatua	He pā / He kāinga / He pūkāwa	Ngāruahine
Puketapu	He pūkāwa	Ngāruahine
Mangamaire	He pā / He kāinga	Ngāruahine
Kawatapu	He kāinga / He pā	Ngāruahine
Mataawa (Mataaho)	He pā	Ngāruahine
Te Pou o Matirawhati	He tokatūmoana	Ngāruahine

## WATERWAYS

Statutory Area	Location
Mangawarawara Stream Marginal Strip	(as shown on deed plan OTS-053-48)
Waiweranui Stream Marginal Strip	(as shown on deed plan OTS-053-56)
Tapuae Stream Marginal Strip	(as shown on deed plan OTS-053-54)

Pungarehu Marginal Strip	(as shown on deed plan OTS-053-52)
Otahi Stream No 1 Marginal Strip	(as shown on deed plan OTS-053-49)
Otahi Stream No 2 Marginal Strip	(as shown on deed plan OTS-053-50)
Heimama Stream Gravel Local Purpose Reserve	(as shown on deed plan OTS-053-46)
Ouri Stream Marginal Strip	(as shown on deed plan OTS-053-51)
Mangahume Stream Conservation Area	(as shown on deed plan OTS-053-32)
Waiongana Stream and its tributaries	(as shown on deed plan OTS-053-43)
Ngatoronui Stream and its tributaries	(as shown on deed plan OTS-053-33)
Oakura River and its tributaries	(as shown on deed plan OTS-053-34)
Warea River (Te Ikaparua) and its tributaries	(as shown on deed plan OTS-053-45)
Kapoiaia Stream and its tributaries	(as shown on deed plan OTS-053-31)
Otahi Stream and its tributaries	(as shown on deed plan OTS-053-36)
Pungaereere Stream and its tributaries	(as shown on deed plan OTS-053-39)
Waiaua River and its tributaries	(as shown on deed plan OTS-053-41)
Mangahume Stream and its tributaries	(as shown on deed plan OTS-053-32)
Waiteika Stream and its tributaries	(as shown on deed plan OTS-053-44)
Taungatara Stream and its tributaries	(as shown on deed plan OTS-053-40)
Punehu Stream and its tributaries	(as shown on deed plan OTS-053-38)
Ouri Stream and its tributaries	(as shown on deed plan OTS-053-37)
Oeo Stream and its tributaries	(as shown on deed plan OTS-053-35)

The following statement of association by Taranaki Iwi applies to the above statutory areas.

Taranaki Iwi exercise mana whenua and mana moana from Paritūtū in the north around the western coast of Taranaki Maunga to Rawa o Turi stream in the south and from these boundary points out to the outer extent of the exclusive economic zone.

The traditions of Taranaki Iwi confirm the ancestral, cultural, historical and spiritual importance of the waterways to Taranaki Iwi within the Taranaki Iwi rohe. The rivers and tributaries that bound and flow through the Taranaki Iwi rohe (area of interest) are of high importance to Taranaki Iwi, as many of them flow directly from Taranaki Maunga. These waterways contain adjacent kāinga (villages), pā (fortified villages), important sites for the gathering of kai (food), tauranga ika (fishing areas) and mouri kōhatu (stones imbued with spiritual significance). The importance of these waterways reinforces the Taranaki Iwi tribal identity and provides a continuous connection between those ancestors that occupied and utilised these areas and their many deeds.

Waterways, rivers and streams within the Taranaki Iwi rohe were and continue to be vital to the well-being, livelihood and lifestyle of Taranaki Iwi communities. As kaitiaki (guardians), Taranaki Iwi closely monitored their health and water quality to ensure there was an abundant source of food, materials and other resources to sustain their livelihoods. A diverse range of food sources, such as piharau (lamprey eel), tuna (eel), kōkopu (native trout), inanga (whitebait), kōaro (small spotted freshwater fish) and kōura (freshwater crayfish) were a staple harvest with large numbers of kahawai and pātiki (flounder) also caught on the river mouths along the Taranaki Iwi coastline. Although access to many of the age old fishing spots for piharau has become a challenge, many are still caught in the months of June, July and August by Taranaki Iwi families.

Relatively high rainfall up on the mountain quickly drains through these river systems, contributing to high water flows and the swift clearance of excessive sedimentation. This has resulted in, clean, clear water accessible to generations of Taranaki Iwi. The river courses, waterfalls and pools were also ceremonial sites used for baptism and other forms of consecration including tohi (child dedication ceremony), pure (tapu removal ceremony) and hahunga (exhumation ceremony). The practice of hahunga involved the scraping and cleansing of bones after being laid on a whata (stage), or suspended from trees to allow for the decomposition of the flesh from the body. The bones were then painted with kōkōwai (red ochre) wrapped and interred in caves, some of these were on the banks of rivers on the plains while others were high up on the mountain. The natural resources

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<sup>64</sup> *Te Kahui Kararehe, unpublished manuscript*

along the edges of the rivers and large swamp systems commonly provided materials for everyday community life, waka (boats), housing, construction, medicine, food and clothing. Large deposits of kōkōwai were also abundant in the river beds higher up on the mountain. Te Ahititi was a famous Kōkōwai deposit located along the banks of the Hangatāhua River with other known sites on the Kaitake range and Waiwhakaiho River valley above Karakatonga Pā. These sites were fiercely guarded by Taranaki Iwi.

The waterways within the Taranaki Iwi rohe also traditionally provided the best access routes to inland cultivations and village sites further up on the mountain and the ranges. Some of these routes became celebrated and were conferred names that confirmed the importance of the places they led to. Te Arakaipaka was a route that followed the Pitoone, Timaru and Waiorehu streams up onto various sites on the Kaitake and Pouākai ranges. Tararua was another route that followed the Whenuariki Stream to Te Iringa, Pirongia, Pukeiti and Te Kōhatu on the Kaitake range. The Hangatāhua River was also a key route up onto the Ahukawakawa swamp basin. The Kapoiaia River also provided a pathway for Taranaki Iwi hapū, Ngāti Haupoto. This began at Pukehāmoamo (close to the Cape Lighthouse on the sea coast) and went to Te Umupua, Orokotehe, Te Ahitahutahu, Ongaonga and onto the Ahukawakawa Swamp<sup>64</sup> where a whare was situated. The Ōkahu River was another well-known route to Te Apiti and onto Te Maru, a fortified pā high up on Taranaki Maunga. Te Maru Pā had extensive cultivations and satellite kāinga before it was attacked by Ngāpuhi and Waikato war parties in the early 1800's with great slaughter.

Taniwha also protected many of the rivers and waterways along the Taranaki Iwi coast. Te Rongorangiataiki was resident along the Ōākura<sup>65</sup> River along with the famed taniwha Tuihu of Matanehunehu, who was said to have caused a fishing tragedy at Mokotunu in the late 1800s. There was also Te Haiata, the taniwha who resided at Ngauhe, and Kaihu on the Pungaereere and Ōaoiti streams. He would move from these two places from time to time to protect the people and the rivers. Taniwha are still revered by many Taranaki Iwi families and form the basis of tikanga (practices) for which the sustainable harvesting and gathering of food for Taranaki Iwi continues today.

The names of significant waterways within the Taranaki Iwi rohe are listed in Appendix B.

<sup>65</sup> *4 George, Simon. 2012, Sites and Rohe of Historical Significance to Taranaki iwi. Unpublished paper.*

## Appendix B

### Taranaki Iwi Waterways

Waterway	Main tributaries	Iwi interest
Herekawe Stream and its tributaries	Mangahererangi Stream	Te Ātiawa
Te Hēnui Stream ( <i>Headwaters and Upper Reaches</i> )	Pukekotahuna Stream	Te Ātiawa
Huatoki Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Mangorei Stream ( <i>Headwaters and Upper Reaches</i> )	Taruawakanga Stream Korito Stream Mangakarewarewa Stream	Te Ātiawa
Mangamahoe Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Waiwhakaiho River ( <i>Headwaters and Upper Reaches</i> )	Mangakōtukutuku Stream Mangawarawara Stream Kokowai Stream Karakatonga Stream	Te Ātiawa
Waiongana River ( <i>Headwaters and Upper Reaches</i> )	Waionganaiti Stream	Te Ātiawa
Ngātoro Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Ngātoronui Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Piakau Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Little Maketawa Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa

Waterway	Main tributaries	Iwi interest
Maketawa Stream ( <i>Headwaters and Upper reaches</i> )		Te Ātiawa
Mangamāwhete Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Waipuku Stream ( <i>Headwaters and Upper Reaches</i> )		Te Ātiawa
Waireka Stream and its tributaries	Wairere Stream Pirongia Stream	Te Ātiawa
Ōkurukuru Stream and its tributaries	Paopaohaoanui Stream Ngākara Stream	
Tapuae Stream and its tributaries	Ōraukawa Stream	
Ōākura River and its tributaries	Momona Stream Kiri Stream	
Wairau Stream and its tributaries		
Waimoku Stream and its tributaries		
Ōtūpoto Stream and its tributaries		
Whenuariki Stream and its tributaries		
Timaru Stream and its tributaries		
Pitoone Stream and its tributaries		
Waiaua Stream		
Hurumangu Stream and its tributaries		

Waterway	Main tributaries	Iwi interest
Katikara Stream and its tributaries		
Maitahi Stream and its tributaries	Moakura Stream	
Waikoukou Stream and its tributaries	Mangakino Stream	
Kaihihi Stream and its tributaries	Waihi Stream Horomanga Stream	
Hangatahua (Stoney) River and its tributaries	Waikirikiri Stream	
Werekino Stream and its tributaries	Waitetarata Stream Otaipane Stream Waitapuue Stream	
Matanehunehu Stream and its tributaries		
Waiorongomai Stream and its tributaries		
Püremunui Stream		
Waiweranui Stream and its tributaries		
Te Ikaparua (Warea) River and its tributaries	Whanganui Stream Mangaone Stream Waitekaure Stream Te Mahau Stream Oneroa Stream	
Kapoaiaia Stream and its tributaries	Wairere Stream Waiohau Stream	
Otahi Stream and its tributaries	Moukoro Stream	
Waitotoroa Stream and its tributaries	Waiare(Waiari) Stream Pehu Stream	

Waterway	Main tributaries	Iwi interest
Waitaha Stream and its tributaries		
Pungaereere Stream and its tributaries	Rautini Stream	
Okahu Stream and its tributaries		
Manganui Stream		
Ōtūwhenua Stream		
Tangihāpū Stream		
Moutoti Stream and its tributaries	Maungahoki Stream Waitakiato Stream	
Ōaoiti Stream and its tributaries		
Ōaonui Stream and its tributaries	Maunganui Stream Teikiwanui Stream Ngapirau Stream	
Arawhata Stream		
Ōkawe Stream and its tributaries	Mouhanga Stream Waikārewarewa Stream Waiāniwaniwa Stream	
Heimama Stream and its tributaries	Mangamutu Stream	
Otahi Stream and its tributaries		
Hihiwera Stream and its tributaries		
Waiaua River and its tributaries	Otaki Stream Waipapa Stream	
Mangahume Stream and its tributaries		
Waiteika Stream and its tributaries	Ngārīka Stream Te Waka Stream	

Waterway	Main tributaries	Iwi interest
Taungātara Stream and its tributaries	Rāhuitoetoe Stream	Ngāruahine
Pūnehu Stream and its tributaries	Mangatawa Stream	Ngāruahine
Ōuri Stream and its tributaries	Waipaepaeiti Stream	Ngāruahine
Oeo Stream and its tributaries	Mangatoromiro Stream Waihi Stream	Ngāruahine
Wahamoko Stream and its tributaries	Waimate Stream	Ngāruahine
Rāwa o Turi Stream and its tributaries		Ngāruahine

Statutory Area	Location
Ratapihipihi Scenic Reserve	(as shown on deed plan OTS-053-53)

Ratapihipihi area is of cultural, historical and spiritual significance to Taranaki Iwi. Ratapihipihi takes its name from the extent of the growth of Rata in and around the area in former times. The domain reserve and surrounding area includes the following sites of significance: Ratapihipihi kāinga / pā, Te Rangihinga, Ongaruru, Rotokare, Kororako pā and Kaikākāriki. These pā and kāinga were widely occupied by Taranaki Iwi and sections of Te Ātiawa.

In 1847, the wider Ratapihipihi area was designated one of two native reserves during the purchase of the Ōmata Block (4856 hectares) on 30th August 1847.<sup>66</sup> As a designated Native Reserve (371 acres), Ratapihipihi then became the home of many Potikitaua and Ngāti Tairi people following their relocation from the seaside kāinga of Ōmata. Many people lived for a time at Ratapihipihi pā / kāinga located south west of the current

<sup>66</sup> 1903 survey map

<sup>67</sup> Wellington Independent 1860:1

<sup>68</sup> G12/17

Rotokare Lagoon. Subsequently, Ratapihipihi became a prominent village and settlement up until the 1860s when Crown and Māori conflict began and, on 4 September 1860, a powerful military, naval and militia force started out from New Plymouth under the command of Major-General Pratt and attacked the kāinga.<sup>67</sup> The pā and surrounding cultivations were levelled and razed by fire.

In June 1872, Ihaia Porutu, Rōpata Ngārongomate, Henare Piti Porutu and Wiremu Rangīāwhio received a Crown Grant under the Native Reserves Act 1856 for 140 acres 1 rood 38 perches, being part Native Reserve No 5, Ratapihipihi.<sup>68</sup> The grant was issued under the Native Reserves Act 1856.

On 29 May 1906, 50 acres of this grant was taken for scenic purposes under the Public Works Act 1905 and the Scenery Preservation Act 1903.<sup>69</sup> On 2 April 1909, the Native Land Court ruled the Public Trustee pay six Maori owners £345 compensation.<sup>70</sup>

<sup>69</sup> NZ Gazette No 43, 7 June 1906, p1426

<sup>70</sup> BOF Tar 5, Native Land Court Direction, 2 April 1909

# Appendix XG: Ngāruahine statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 53 of the Ngāruahine Claims Settlement Act 2006, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 2 of the Ngāruahine Claims Settlement Act 2006, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## Statutory acknowledgements

The statutory acknowledgements are:

The statements of association of Ngāruahine are set out below. These are statements of the particular cultural, spiritual, historical and traditional association of Ngāruahine with identified areas.

- Awatuna Stream and its tributaries (as shown on deed plan OTS-023-18);
- Inaha Stream and its tributaries (as shown on deed plan OTS-023-35);
- Kahouri Stream and its tributaries (as shown on deed plan OTS-023-36);
- Kapuni Stream and its tributaries (as shown on deed plan OTS-023-37);
- Kapuni Stream-Ohawe Marginal Strip (as shown on deed plan OTS-023-06);
- Kaupokonui-a-Turi (being Kaupokonui Recreation Reserve) (as shown on deed plan OTS-023-08);
- Kaupokonui-Manaia Marginal Strip (as shown on deed plan OTS-023-07);
- Kaupokonui Stream and its tributaries (as shown on deed plan OTS-023-19);
- Kaupokonui Stream Marginal Strip (as shown on deed plan OTS-023-12);
- Konini Stream and its tributaries (as shown on deed plan OTS-023-38);
- Manganui River and its tributaries (as shown on deed plan OTS-023-20);
- Mangarangi Stream and its tributaries (as shown on deed plan OTS-023-39);
- Mangatawa Stream and its tributaries (as shown on deed plan OTS-023-21);
- Mangatoki Stream and its tributaries (as shown on deed plan OTS-023-40);
- Mangatoromiro Stream and its tributaries (as shown on deed plan OTS-023-41);
- Mangawhero Stream and its tributaries (as shown on deed plan OTS-023-22);
- Mangawhero Stream Marginal Strip (as shown on deed plan OTS-023-13);
- Motumate Stream and its tributaries (as shown on deed plan OTS-023-42);
- Ngāruahine Coastal Marine Area (as shown on deed plan OTS-023-56);
- Oeo-Kaupokonui Marginal Strip (as shown on deed plan OTS-023-09);
- Oeo Stream and its tributaries (as shown on deed plan OTS-023-23);
- Ohawe-Hawera Marginal Strip (as shown on deed plan OTS-023-10);
- Omiti Stream and its tributaries (as shown on deed plan OTS-023-24);
- Opuhi Stream and its tributaries (as shown on deed plan OTS-023-43);
- Otakeho Stream and its tributaries (as shown on deed plan OTS-023-25);
- Ouri Stream and its tributaries (as shown on deed plan OTS-023-26);
- Ouri Stream Marginal Strip (as shown on deed plan OTS-023-14);
- Paetahi Stream and its tributaries (as shown on deed plan OTS-023-27);
- Patea River and its tributaries (as shown on deed plan OTS-023-28);
- Piakau Stream and its tributaries (as shown on deed plan OTS-023-44);
- Pūnehu Stream and its tributaries (as shown on deed plan OTS-023-29);
- Rāoa Stream and its tributaries (being Rāoa Stream and its tributaries) (as shown on deed plan OTS-023-30);
- Taikatu Stream and its tributaries (as shown on deed plan OTS-023-31);
- Taungatara Stream and its tributaries (as shown on deed plan OTS-023-32);
- Tawhiti Stream and its tributaries (as shown on deed plan OTS-023-45);
- Te Popo Stream and its tributaries (as shown on deed plan OTS-023-46);
- Tuikonga Stream and its tributaries (as shown on deed plan OTS-023-47);
- Wahamoko Stream and its tributaries (as shown on deed plan OTS-023-48);
- Waihi Stream (Hawera) and its tributaries (as shown on deed plan OTS-023-49);
- Waihi Stream (Oeo) and its tributaries (as shown on deed plan OTS-023-50);
- Waikaretu Stream and its tributaries (as shown on deed plan OTS-023-51);
- Waimate Stream and its tributaries (as shown on deed plan OTS-023-52);
- Waingongoro River and its tributaries (as shown on deed plan OTS-023-33);
- Waingongoro River No 1 Marginal Strip (as shown on deed plan OTS-023-15);
- Waingongoro River No 2 Marginal Strip (as shown on deed plan OTS-023-16);
- Waingongoro River No 4 Marginal Strip (as shown on deed plan OTS-023-11);
- Waingongoro Stream Marginal Strip (as shown on deed plan OTS-023-17);
- Waiokura Stream and its tributaries (as shown on deed plan OTS-023-53);
- Waipaepaeiti Stream and its tributaries (as shown on deed plan OTS-023-54);

- Waipaepaenui Stream and its tributaries (as shown on deed plan OTS-023-34); and
- Waipuku Stream and its tributaries (as shown on deed plan OTS-023-55).

## Statements of Association

### Kanihi-Umutahi

The tuturu takiwa of the Kanihi-Umutahi hapū is described as:

*"E tu e tu ki tai e tu e tu ki uta  
mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa,  
Hawaikipamamao Tawhitipamamao  
tai noa ki te ngutu awa o Waingongoro ki Wairere  
piki ake ki te tihi o Maunga Taranaki  
huri noa ki te Tonga haere tonu ki te awa o Waingongoro"*

Likewise the hapū describe their whanaungatanga takiwa as:

*"E tu e tu ki tai e tu e tu ki uta  
mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa,  
Hawaikipamamao Tawhitipamamao  
tai noa ki te ngutu awa o Waihi ki Inaha  
piki ake ki te tihi o Maunga Taranaki  
huri noa ki te Tonga haere tonu ki te awa o Waihi"*

According to tribal history, the people of this hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Ranguamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake.

They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.

Kanihi-Umutahi has a very close relationship with the people of Okahu-Inuawai, not only because of the physical proximity to one another, but because of their shared inter hapū ancestry. Puawhato was a warrior chief and tupuna of the Kanihi people. His sister

Hinekoropanga was an important tupuna kuia of the Okahu-Inuawai people. Each resided in their own Pa which were along the Waingongoro river, Tau-te-one belonging to Puawhato and his people and Okahutiti belonging to his sister and her people.

The Kanihi-Umutahi people have historically resided on both the western and eastern banks of the Waingongoro River. The ancient Pa Kanihi, takes its name from the tribes people and is located on the eastern bank of the river on a block of land known as Te Rua o Te Moko. They have been variously known or referred to as the 'Umutahi', 'Ketetahi' and 'Mawhitiwhiti' people, but choose to identify themselves today as 'Kanihi'.

*Ko Te Rangatapu te Takutaimoana*

*Ko Te Rangatapu me Te Kawau nga Tauranga Waka*

*Ko Waingongoro te Awa*

*Ko Umutahi me Te Rua O Te Moko nga Whenua*

*Ko Kanihi te tangata*

The various awa located within the takiwa of Kanihi has great spiritual importance and are "the blood and veins of the takutaimoana". The wai that flows through these awa symbolises the link between the past and the present, each with its own mauri and wairua which connects hapū with the awa and the spiritual world providing both physical and spiritual sustenance to its people.

The domain of Tangaroa extends from the source of these awa, "te piki ake o Maunga Taranaki" to the moana. They are linked and together form an entity that includes its source, and the moana. As a result, the relationship the various hapū have with these awa relates to the entire catchment. The tangible linkages provide them with a system of ara, or pathways throughout their takiwa enabling hapū access in inland. River travel was important to all hapū for both economic and social reasons.

### Mahinga kai

The rivers in the takiwa of Kanihi were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu. Pa tuna and hinaki were constructed all along the rivers and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons.

A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the abundant birdlife also provided a crucial element of hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction and trading. It also provided a habitat for many forms of life. Pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu is the spiritual guardian of the moana and other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms that abound within his domain. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from these awa and ngahere was central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are all essential for maintaining customary traditions - the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, associated lands, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe along with the associated lands and natural resources.

The rivers and streams which are located within the Kanihi-Umutahi takiwa are the following:

Paetahi Stream

Tuikonga Stream

Mangarangi Stream

Mangatoki Stream

Inaha Stream (boundary with Ngati Manuhiakai)

Waingongoro

358

Waihi Stream

(Hawera)

Tawhiti Stream

Waipuku Stream

Te Popo Stream

Piakau Stream

Konini Stream

Patea River

Ngaere Stream

Mangimangi Stream

Kaitimako Stream

Kahori Stream, Manapukeakea Stream

### **Okahu-Inuawai**

The tuturu takiwa of the Okahu-Inuawai hapū extends, "from seaward on the eastern mouth of the Waingongoro awa to the Maunga, thence turning following the western side of the Wairere Stream back to seaward, Tawhiti-nui, Hawaiki-nui, Tawhiti-roa, Hawaiki-roa, Tawhiti-pamamao, Hawaiki-pamamao. The hapū claim that their whanaungatanga takiwa begins "from the mouth of the Waihi Stream of Ngati Ruanui Iwi in the east, and extends to the mouth of the Inaha Stream of Ngati Manuhiakai in the west, back to seaward".

According to tribal history, the people of Okahu are the descendants of the tangata whenua tribes who arrived at Te Rangatapu aboard the waka Te Ranguamutu, captained by Tamatea-Rokai. The tangata whenua tribes were known as Kahui-maunga, Kahui toka, Kahui-rere, Te Kahui Tuu, Maru-iwi and Te Tini-o-tai-tawaro, Te Kahui-Ruu and Te Kahui Tawake.

This hapū also claims ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.

The relationship between the Okahu and Kanihi hapū is very strong, not only because of their physical proximity to one another, but because of their shared ancestry. Hinekoropanga the tupuna of the hapū was an important kuia not only to her hapū but she played a significant role within the tribe of Ngāruahine. Her brother was Puawhato a warrior chief and tupuna of the Kanihi-Umutahi people. Both sister and brother resided on the Waingongoro River, their Pa being adjacent to one and other. Okahutiti, which became an important Pa during the intertribal skirmishes with the Ngāpuhi tribe, was the stronghold of Hinekoropanga and her people. The hapū have historically resided on the western and eastern banks of the Waingongoro river. Although they choose to identify their hapū with the name 'Okahu' they are also referred to as the Inuawai people.

*Ko Te Rangatapu te Takutaimoana*

*Ko Te Rangatapu me Te Kawanuā nga Tauranga Waka*

*Ko Waingongoro te Awa*

*Ko Okahu me Inuawai nga Whenua*

*Ko Okahu te tangata*

Several lores abound relating to Tamawhero another well known chief of this hapū. His reputation of being a person steeped in knowledge was unrivalled. One such lore relates to a taua of Nga Puhi who were making their way down the west coast of the north island with the intent to take the lands of Taranaki and in particular the Waimate Plains. Nga Puhi had heard about Tamawhero and were known to have said, "if we cannot match him in knowledge, we will defeat him in battle". The taua set about making plans to cross the Plains and in so doing taking the various Pa that stood in their way, first attacking Waimate Pa while the men were all away at a fishing expedition. Once defeated they set forth for Okahutiti. The tupuna kuia of Okahu hapū Hinekoropanga, was married to a chief of one of the neighbouring Pa that had been attacked. She was able to escape and warn the men at sea and her people of Okahutiti. A taua was formed using the menfolk of neighbouring Ngāruahine Pa, and together they defeated the Nga Puhi at Okahutiti. The name given to this battle was, Huru-pari, "the turning of the cliff".

According to traditional lore, another significant event relating to Tamawhero was the chiefs discovery of Aniwaniwa, a descendant of Takarangi and Rau-mahora. Tamawhero found Aniwaniwa, as a baby, lying in a harakeke bush. He was wrapped in a topuni, a dogskin cloak, which signified his high rank. The baby was adopted by Tamawhero and raised alongside his biological son Tonga Awhikau. Aniwaniwa married Tawhirikura and a son of this marriage was the second to bear the name Te Whiti. This second Te Whiti

married Whakairi and their son was named Tohu-kakahi who in turn married Rangi-kawau and their son, the third to bear the name Te Whiti, became the prophet of Parihaka.

The awa that are located within the Okahu takiwa have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga with each providing both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

### **Mahinga kai**

The rivers in the Okahu takiwa were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the rivers in the Okahu takiwa, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke and much birdlife were also a crucial element of hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. They also provided a habitat for many forms of life. Pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana and other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within this environment. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are all essential for maintaining customary traditions, including the ritual and tapu associated with gathering.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their takiwa, associated lands, and associated resources.

**The rivers and streams which are located within the Okahu takiwa are the following:**

Paetahi Stream

Tuikonga Stream

Mangarangi Stream

Mangatoki Stream

Inaha Stream (boundary with Ngati Manuhiakai)

Waingongoro

Waihi Stream (Hawera)

Tawhiti Stream

Waipuku Stream

Te Popo Stream

Piakau Stream

Konini Stream

Patea River

Ngaere Stream

Mangimangi Stream

Kaitimako Stream

Kahori Stream

Manapukeakea Stream

Ngati Manuhiakai

The takiwa of the Ngati Manuhiakai extends from the tip of Maunga Taranaki into Te Moana O Tangaroa taking in Te Rere o Kapuni and Inaha Rivers. From east to west, the boundary extends from the western banks of the Waingongoro River to the eastern banks of the Raoa Stream.

Ngateko on the Kapuni stream is one of the original landing places of the Wakaringaringa waka, captained by Mawakeroa, the other being Kaupokonui. Many of the people on that waka took up settlement here. The Kapuni stream marks the boundary between the takiwa of Ngati Manuhiakai and Ngati Tu hapū.

Ngati Manuhiakai also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went.

*Ko Aotea te Waka*

*Taranaki te Maunga*

*Te Rere O Kapuni me Inaha nga Awa*

*Te Aroha O Titokowaru Ki Toona Marae*

*Ngati Manuhiakai te hapū*

*Ngaruahine-Rangi te Iwi*

*Inaha te Tauranga-waka.*

*Aotea is our waka*

*Taranaki our mountain*

*Te Rere O Kapuni and Inaha our Rivers*

*Te Aroha O Titokowaru Ki Toona our marae*

*Ngati Manuhiakai our sub-tribe*

### *Ngaruahine-Rangi our Tribe*

#### *Inaha our Tauranga-waka.*

The various awa that are located within the takiwa of Ngati Manuhiakai have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

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#### **Mahinga kai**

The rivers flowing through Ngati Manuhiakai were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that

lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe and associated lands and associated resources.

The rivers which are located within the Ngati Manuhiakai rohe are the following:

Kapuni Stream (boundary with Ngati Tu)

Inaha Stream (boundary with Umutahi Inuawai).

#### **Ngati Tu**

Ngateko on the Kapuni Stream was one of the original landing places of the Wakaringaringa waka captained by Mawakeroa, the other being Kaupokonui. Many of the people on that waka took up settlement there with the Kapuni stream acting as a marker between for the boundary between the takiwa of Ngati Manuhiakai and Ngati Tu hapū.

Ngati Tu also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and traversed via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Kaupokonui River and Maraekura.

The name of the flat lands adjacent to the Kaupokonui River and lying between Pukekohe Pa and the Taoratai kainga is Maraekura, 'courtyard of the precious heirloom Huna-kiko' Turi had brought with him from Hawaiki-Rangiatea. This cloak was used for ceremonial purposes on multiple occasions during Turi and his people's time in Taranaki and it was

during one of these occasions that Mareakura was named. According to sources Turi and his companions who included his son Turangaimua, and the tohunga Tapo, Kauika, Tuau, Hau-pipi, and Rakeiora, constructed an altar on Maraekura and spread the cloak upon it. The name therefore refers to this ceremony and the spreading of this 'precious heirloom' which represented the mana of Turi.

The various awa that are located within the takiwa of Ngati Tu have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

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### **Mahinga kai**

The rivers flowing through Ngati Tu were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe and associated lands, and associated resources.

The rivers which are located within the Ngati Tu rohe are the following:

Kaupokonui Stream

Mangawhero Stream

Motumate Stream

Waiokura Stream

Otakeho Stream (boundary with Ngati Haua)

Kapuni Stream (boundary with Ngati Manuhiakai).

### **Ngati Haua**

The Ngati Haua hapū claim that their tuturu rohe extends "seaward from the mouth of the Otakeho Stream following it inland to the Maunga, thence turning and following the eastern side of the Raoa Stream back to seaward, Tawhiti-nui, Hawaiki-nui, Tawhiti-roa, Hawaiki-roa, Tawhiti-pamamao, Hawaiki-pamamao. They claim that their whanaungatanga rohe extends from the western side of the Kaupokonui River of the Ngati Tu hapū, to the eastern side of the Wahamoko Stream.

The hapū traces their origin to the union between the tupuna of Ngati Haua, Te Auroa, and Hinengakau, the great ancestress of Atihaunui-a-Parangi from Whanganui. They also claim ancestry from the Aotea Utanganui waka, captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Raoa River.

The Raoa takes its name from an incident which involved Turi during his travels throughout the motu. After catching and cooking some tuna from the river, Turi being extremely hungry, devoured the tuna so quickly that a number of tuna bones became lodged in his throat. His wife, Rongorongo, asked the gods to save her husband. Turi, angry for this happening lay a curse upon the creek, proclaiming that no tuna should henceforth live in the river. He subsequently named it Raoa, to choke. Centuries later, a tupuna koro, Te Hui removed the curse and tuna once again returned to the river.

The various awa that are located within the takiwa of Ngati Haua have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

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### **Mahinga kai**

The rivers flowing through Ngati Haua were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated

according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe and associated lands and resources.

The rivers which are located within the Ngati Haua rohe are the following:

Raoa Stream

Wahamoko Stream (boundary with Ngati Tamaahuroa-Titahi)

Opuhi Stream

Waikaretu Stream

Otakeho Stream (boundary with Ngati Tu)

Taikatū Stream

Awatuna Stream.

### **Ngati Tamaahuroa-Titahi**

The Ngati Tamaahuroa-Titahi takiwa extends from the mouth of the Taungatara Stream in the west to the mouth of the Raoa stream in the east, and thence from the moana to the Maunga. The Ngati-Tamaahuroa-Titahi hapū are descendants of the people who landed at Oeo on the waka captained by Whiro in the fourteenth century.

Ngati Tamaahuroa-Titahi share common ancestry with the Taranaki iwi. The eponymous ancestor Rua Taranaki came, originated from Taupo but he re-settled on the Hangaataahua River, and was the first in a long line of Taranaki rangatira.

Ngati Tamaahuroa-Titahi also claim ancestry from the Aotea Utanganui waka which was captained by Turi. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went.

Ngati Tamaahuroa-Titahi have occupied their takiwa for generations, and throughout their history they have for the most part, co-existed peacefully with neighbouring hapū and iwi around them. There have been some occasions of conflict however, and one of these occurred when the people of Rangatapu Pa sent out a war party who sought fugitives from an iwi who had caused them offense. They came into the Ngati Tamaahuroa lands and said to the people, "Live in peace; we have no quarrel with you". Ngati Tamaahuroa had in fact met with and been influenced by the offending fugitives and took up arms against the Rangatapu people to avenge them. They were summarily defeated and their lands taken, but because they were strong in numbers they were able to once again become a powerful tribe.

The various awa that are located within the takiwa of Ngati Tamaahuroa-Titahi have great spiritual importance and are "the blood and veins of the takutaimoana, each of them with a story to tell". The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

The tangible linkages between these awa provided the hapū with a system of ara, or pathways throughout the takiwa, whereby allowing hapū access inland. River travel was important to hapū for both economic and social reasons.

### **Mahinga kai**

The rivers flowing through Ngati Tamaahuroa-Titahi were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their takiwa and associated lands and associated resources.

The rivers which are located within the Ngati Tamaahuroa-Titahi rohe are the following:

Taungatara River

Punehu Stream

Manganui Stream

Waipaepaenui Stream

Waipaepaeiti Stream

Mangatoromiro Stream

Mangatawa Stream

Oeo Stream

Wahamoko Stream

Waimate Stream

Ouri Stream

Raoa Stream (boundary with Ngati Haua)

## Statements of Association for Marginal Strip Sites

Kaupokonui Stream No 2 Marginal Strip (as shown on deed plan OTS-023-12)		
<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		Kaupokonui is the name of both a river and settlement. In the twelfth century this area was one of the original landing sites of the ancestral waka Wakaringiringi captained by Mawakeroa. The people of this waka were known to have taken up settlement here.  Kaupokonui is a coastal waahi where Ngati Tu resided, cultivated, hunted, gathered food and fished. The river continues to be used by the people of the hapū right up to this present time.
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Ngāruahine hapū association</b>	Ngati Tu	
<b>Pepeha, waiata or whakatauki</b>		

Mangawhero Stream Marginal Strip (as shown on deed plan OTS-023-13)		
<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		The Ngati Haua hapū claim that their tuturu rohe extends "seaward from the mouth of the Otakeho Stream following it inland to the Maunga, thence turning and following the eastern side of the Raoa Stream back to seaward".  Their whanaungatanga rohe extends from the western side of the Kaupokonui river of the Ngati Tu hapū, to the eastern side of the Wahamoko Stream.  The various river environs that are located within the takiwa of Ngati Haua and Ngati Tu have great spiritual importance, they are, "the blood and veins, each with a story to tell." The wai that flows through these areas symbolises the link between the past and the present. Each has its own mauri and wairua which connect these two hapū with the river environs and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

Waingongoro River No1 Marginal Strip (as shown on deed plan OTS-023-15)		
<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Ngāruahine hapū association</b>	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	

<b>Pepeha, waiata or whakatauki</b>	<p>Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro" Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waihi"</p>	<p>Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake.</p> <p>They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour.</p> <p>During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.</p>
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#### Waingongoro River No 2 Marginal Strip (as shown on deed plan OTS-023-16)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake.
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour.
<b>Ngāruahine hapū association</b>	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	
<b>Pepeha, waiata or whakatauki</b>	<p>Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro" Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki</p>	<p>During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.</p>

	huri noa ki te Tonga haere tonu ki te awa o Waihi"	
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#### Waingongoro River No 4 Marginal Strip (as shown on deed plan OTS-023-11)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiuamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-lwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake.  They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour.  During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Ngāruahine hapū association</b>	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	
<b>Pepeha, waiata or whakatauki</b>	Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao  tai noa ki te ngutu awa o Waingongoro ki Wairere  piki ake ki te tihi o Maunga Taranaki  huri noa ki te Tonga haere tonu ki te awa o Waingongoro"  Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao  tai noa ki te ngutu awa o Waihi ki Inaha  piki ake ki te tihi o Maunga Taranaki  huri noa ki te Tonga haere tonu ki te awa o Waihi"	

#### Ouri Stream Marginal Strip (as shown on deed plan OTS-23-14)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		Kaupokonui is the name of both a river and settlement. In the twelfth century this area was one of the original landing sites of the ancestral waka Wakaringiringi captained by Mawakeroa. The people of this waka were known to have taken up settlement here.  Kaupokonui is a coastal waahi where Ngati Tu resided, cultivated, hunted, gathered food and fished. The river continues to be used by the
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Ngāruahine hapū association</b>	Ngati Tu	
<b>Pepeha, waiata or whakatauki</b>		

		people of the hapū right up to this present time.
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#### Oeo-Kaupokonui Marginal Strip (as shown on deed plan OTS-023-09)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		<p>The river environs shared between all three hapū were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.</p> <p>Pa tuna and hinaki were constructed all along the rivers of each hapū and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga.</p> <p>A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.</p> <p>Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources and remains as significant and important today as it was to their tupuna.</p>
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Ngāruahine hapū association</b>	Ngati Tamaahuroa me Titahi Ngati Haua Ngati Tu	
<b>Pepeha, waiata or whakatauki</b>		

#### Kaupokonui-Manaia Marginal Strip (as shown on deed plan OTS-023-07)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		<p>Kaupokonui is the name of both a river and settlement. In the twelfth century this area was one of the original landing sites of the ancestral waka Wakaringiringi captained by Mawakeroa. The people of this waka were known to have taken up settlement here.</p> <p>Kaupokonui is a coastal waahi where Ngati Tu resided, cultivated, hunted, gathered food and fished. The river continues to be used by the people of the hapū right up to this present time.</p>
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Ngāruahine hapū association</b>	Ngati Tu	
<b>Pepeha, waiata or whakatauki</b>		

#### Ohawe-Hawera Marginal Strip (as shown on deed plan OTS-023-10)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		<p>According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiuamutu waka, captained by Tamatea-Rokai. The tangata</p>
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		

<b>Ngāruahine hapū association</b>	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake.
<b>Pepeha, waiata or whakatauki</b>	Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao  tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro"  Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao  tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waihi"	They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour.  During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.

#### Kapuni-Ohawe Marginal Strip (as shown on deed plan OTS-23-06)

<b>Site Type</b>		Ngāruahine association (history, significance)
<b>Location</b>		The takiwa of the Ngati Manuhiakai extends from the tip of Maunga Taranaki into Te Moana O Tangaroa taking in Te Rere o Kapuni and Inaha Rivers. From east to west, the boundary extends from the western banks of the Waingongoro River to the eastern banks of the Raoa Stream.
<b>Description of Site</b>	Marginal Strip	
<b>Ngāruahine Tupuna association</b>		
<b>Nāaruahine hapū association</b>	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi) Ngati Manuhiakai	Ngateko on the Kapuni stream is one of the original landing places of the Wakaringaringa waka, captained by Mawakeroa, the other being Kaupokonui.
<b>Pepeha, waiata or whakatauki</b>	Ko Aotea te Waka Taranaki te Maunga  Te Rere O Kapuni me Inaha nga Awa Te Aroha O Titokowaru Ki Toona Marae  Ngati Manuhiakai te hapū Ngaruahine-Rangi te Iwi Inaha te Tauranga-waka. Aotea is our waka Taranaki our mountain Te Rere O Kapuni and Inaha our Rivers	Many of the people on that waka took up settlement here. The Kapuni stream marks the boundary between the takiwa of Ngati Manuhiakai and Ngati Tu hapū.  The continued recognition of each of these hapū, their identity, traditions and status as kaitiaki is entwined with the river environs in their takiwa, associated lands, and associated resources.

Te Aroha O Titokowaru Ki Toona our marae	
Ngati Manuhiakai our sub-tribe	
Ngaruahine-Rangi our Tribe	
Inaha our Tauranga-waka.	

# Appendix XH: Te Atiawa statutory acknowledgements

## Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 53 of the Te Atiawa Claims Settlement Act 2006, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 2 of the Te Atiawa Claims Settlement Act 2006, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

The statements of association of Te Atiawa are set out below. These are statements of the particular cultural, spiritual, historical, and traditional association of Te Atiawa with identified areas.

### **Awa te Take Pa Historic Reserve (as shown on deed plan OTS-043-08)**

This site is in the rohe of Otaraua Hapu and is located on the banks of the Waitara River. Awa Te Take is an ancient site and was a papakainga and defensive pa. As a defensive pa, the steep jagged riverside cliffs afforded perfect protection. Significant features such as earthwork defenses (ditch bank) and the remnants of prehistoric lowland forest remain visible today.

The social, cultural and historical importance of Awa Te Take Historic Reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce tribal identity.

### **Awa te Take Scenic Reserve (as shown on deed plan OTS-043-09)**

Awa te Take Awa te Take Scenic Reserve is on the banks of Waitara River and is in the rohe of Otaraua Hapu.

The social, cultural, historical and spiritual importance of Awa te take Pa is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

### **Bayly Road Conservation Area (as shown on deed plan OTS-043-23)**

372

The site is located at the edge of Waitapu Urupa at Nga Motu (islands) beach, New Plymouth and is in the rohe of Ngati Te Whiti.

Waitapu is named after the stream which takes its name from an incident which arose during the siege of Otaka Pa by neighbouring northern iwi in 1832. When discussing terms for peace a chief from the neighbouring iwi, sought permission to go into Otaka to hold a tangi for his dead warriors. One inhabitant, Te Whau, ran out towards the taua, was killed and her body dismembered and thrown into the stream. The stream was then called Waitapu - wai (water) and tapu (sacred). This stream still runs through Waitapu Urupa today.

In 1923 Ngati Te Whiti members petitioned the government for the return of the urupa this occurred in 1927 when the land was vested as an urupa through the Maori Land Court. Waitapu was the first cemetery in New Plymouth and the first recorded burial was Mary Ann Barrett in 1840. In 1847 the whaler Richard Barrett died after an accident and was also buried at Waitapu. During the excavations for the New Plymouth power station in 1970s ko iwi (bones) were uncovered at Paritutu and were reinterred at Waitapu. The ko iwi were carbon dated to the 1600s.

Over the years many Maori and Pakeha have been laid to rest at Waitapu. Waitapu remains open as an urupa and is the final resting place for many Ngati Te Whiti members. The value of the site today is its proximity to Waitapu Urupa and its current use as an access way in to the Waitapu Urupa.

### **Everett Park Scenic Reserve (as shown on deed plan OTS-043-10)**

Everett Park is located on the banks of the Maunganui River in the rohe of Pukerangiora Hapu.

The social, cultural, historical and spiritual importance of Everett Park is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Huatoki Stream Marginal Strip (as shown on deed plan OTS-043-33)

The sites are in the rohe of Ngati Te Whiti Hapu and take their name from the Huatoki River and their close proximity to it. The Huatoki is named after the titoki tree which grows profusely in the area.

The Huatoki River, and surrounding environment were important for their resources. Along and near its banks were solid stands of timber, flax and raupo. Aside from providing a source of water, the river was plentiful in fish, whitebait, and lamprey. The banks were used as a walkway to other papakainga and as a highway to the coast. Several papakainga were located along the river including Te Kawau, Pukaka, Mawhera, Maripu and Okoare. Nohoanga were also located in key resource gathering areas and were used by hapu members in the summer months to gather resources and escape the heat. Disputes/competition for these resources caused several battles between Te Atiawa hapu. Two such battles are remembered today in Korero tawhito. The first was a dispute over piharau fishing rights between Te Rangi Apiti Rua of Puke Ariki, and of Manu Kino of Waimanu. The other occurred when the rangatira, Koronorea, ambushed and attacked a taua who were hunting on the banks of the Huatoki. The battle was named Pakirikiri because the bodies resembled pakirikiri, the rock eyed cod.

During the Land Wars, British soldiers used a track along the Huatoki from Pukaka/Marsland Hill to the centre of town which was named Red Coat Lane. The river today is valued because of its rich bush stands, its conservation values and landscape aesthetics.

#### **Huirangi Recreation Reserve (as shown on deed plan OTS-043-25)**

The Huirangi Recreation Reserve is located on inland and is in the rohe of Pukerangiora Hapu.

The social, cultural, historical and spiritual importance of the Huirangi Recreation Reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Katere Scenic Reserve (as shown on deed plan OTS-043-11)**

Katere is located in Fitzroy, New Plymouth and is in the rohe of Ngati Tawhirikura Hapu.

The social, cultural, historical and spiritual importance of Katere is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Mahoetahi Historic Reserve (as shown on deed plan OTS-043-12)**

Mahoetahi is located at the junction of the highway north and Mountain Road, Bell Block and is in the rohe of Puketapu hapu. Historically it was a pa site located on a small hill surrounded on three sides by a flax and raupo swamp. The approach to the pa was by a ridge from a plain on the north east side. It closely identified with another nearby pa called Nga Puke Turua.

During the land wars it was a site of a major battle involving local and neighbouring iwi against a force of about 1000 soldiers, and colonial militia. Outnumbered and on a site which was ill equipped for battle, the taua was quickly defeated and about fifty were killed and another third wounded. The chiefs were buried at St Mary's Church, New Plymouth and the others at Mahoetahi.

Mahoetahi is important to Puketapu because of its cultural and historical significance. It is a former pa, a Land Wars Site and an urupa. The significance of Mahoetahi is recognised nationally through its NZ Wars Graves rating.

#### **Makara Scenic Reserve (as shown on deed plan OTS-043-13)**

This site is located on the banks of the Waitara river and is in the rohe of Otaraua and Pukerangiora hapu.

The social, cultural, historical and spiritual importance of Makara Scenic Reserve illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Mangahinau Esplanade Reserve (as shown on deed plan OTS-043-26)**

This site is on the Waitara River and is in the rohe of Otaraua Hapu.

The social, cultural, historical and spiritual importance of Mangahinau Esplanade Reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Ngahere Scenic Reserve (as shown on deed plan OTS-043-27)**

Te Ngahere was a small pa on the outer reaches of the great Ngati Tuparikino papapkainga, Tupare. Tupare was located on the banks of the Waiwhakaiho River and was built to the landscape which rose steadily from the river. This site is named Te Ngahere because it was covered in bush.

Tupare and Te Ngahere were abandoned in the wake of the 1830s invasion by a northern iwi and the inhabitants fled to Otaka at Nga Motu. In the 1830s Ngati Tuparokino returned to the area to live but did so in small whanau villages, rather than big pa sites. The only remainder of the original pa sites today are their names.

Today, Te Ngahere is a reserve in a small sheltered steep gully. In the mid-twentieth century it was replanted in exotics to replace the original bush, most of which had gone. Te Ngahere still attracts bird life, especially fantail, pigeon and tui. The value of Te Ngahere is its ancestral connection and historical association with the great Tupare papakainga.

**Ngangana Pa (being Manukorihi Recreation Reserve)  
(as shown on deed plan OTS-043-14)**

The site is located on the east side of the Waitara River in the rohe of Otaraua and Manukorihi hapu.

The social, cultural, historical and spiritual importance of the Manukorihi Recreation reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

**Papamoa (being Meeting of the Waters Scenic Reserve)  
(as shown on deed plan OTS-043-15)**

Papamoa is located on the banks of the Waiwakaiho River in the rohe of Ngati Te Whiti. The site is above a river bend which was later named the meeting of the waters because of the turbulent river flow at that point. The site was named Papamoa because the land around which it was located was as soft as a garden bed.

Papamoa was also a nohoanga, a camping site inhabited at certain times of the year to gather seasonal resources such as mahinga kai (kei kei, fish, eels, tii) and as a retreat to escape the heat of the summer. Kei kei and Tii were still being harvested from this site by Ngati Te Whiti people in the 1950s. Papamoa was also used as a defensive lookout point and the site of several inter iwi battles. Papamoa was considered a tapu site because of the battles and many drownings in the turbulent river.

For Ngati Te Whiti the site still retains its tapu nature. Today the site is a significant example of extensive ring plain forests and is important for its biodiversity, conservation and recreational values.

**Puketakauere Pa Historic Reserve (as shown on deed plan OTS-043-16)**

This site is in the rohe of Otaraua Hapu. Puketakauere is an ancient pa site with a history characterised by both peaceful occupation and warfare. It was the site of one of the first battles of the first Taranaki War. At this time, the site included a ring ditch pa with an escape route through the nearby swamp, and an identical paa, Onukukaitara, which had covered passages and rifle pits. Due to the victory of Te Atiawa fighters over a large British military force at Puketakauere, the site, serves as a constant reminder for Te Atiawa of the courage and strength of Otaraua and Te Atiawa tupuna. The British built a Blockhouse on Onukukaitara once it had been abandoned by Te Atiawa. The site and the Battle of Puketakauere has an important place in the history of the Taranaki Wars and the New Zealand Wars, and continues to have significant educational, historical and symbolic value for Te Atiawa.

**Robe Street Conservation Area (as shown on deed plan OTS-043-17)**

The Ngati Te Whiti name for this area is Maramamao. Maramamao was located on the outer reaches of Puke Ariki Pa. Puke Ariki was a huge pa which stretched from the coast inland and was probably built by Te Rangi Apiti Rua sometime in the 1700s. In building the pa, Te Rangi Apiti Rua retained the landscape, a hill sloping upwards from the sea to a large flat area. The large flat area became the cultivation area Maramamao through which the stream, Mangaotuku, ran. The food resources of Maramamao supplied the people of Puke Ariki and nearby pa such as Mawhero and Pukaka.

There were other cultivation areas but Maramamao was the largest and most distant from the centre of the pa. Puke Ariki contained many marae and several urupa. One of the urupa, was located close to Maramamao where at least three chiefs, including Te Rangi Apiti Rua, are buried.

Puke Ariki, its constituent marae, urupa and cultivation area remain significant to Ngati Te Whiti and are expressed and remembered through constant Korero tawhito/oral history and daily cultural practices.

**Sentry Hill Conservation Area (as shown on deed plan OTS-043-18)**

Te Morere is an ancient pa located on a hill on the banks of the Waiongona. It was named Te Morere (the swing), because of the tall swing tree which stood on the site and from which the youth used to swing out and dive into the nearby river. It is located in the rohe of Puketapu hapu.

During the first Taranaki war, Te Morere was a lookout by Puketapu warriors to observe British military movements. In 1863 the British built a redoubt on Te Morere and called the site Sentry Hill. In 1864 Taranaki warriors, including from Te Atiawa, attacked the

British redoubt at Te Morere resulting in the deaths of over 50 Maori. The battle of Te Morere is remembered through a haunting poem of mourning composed by Tamati Hone. The poem ends with a comparison of the dead at Te Morere to a wrecked and shattered fleet of waka:

*"How vain your valour, how vain your charge against Morere's walls*

*Lost on that rocky coast of death are all my crews*

*Tanui, Tokomaru, Kurahaupo, Aotea*

*Aue, my brave canoes, Lie broken on the shores."*

Today, the site is dissected by the road. Although there is very little physical evidence of its former glory, Te Morere remains in the cultural memory of Puketapu and Te Atiawa.

#### **Sentry Hill Redoubt Historic Reserve (as shown on deed plan OTS-043-19)**

Te Morere is an ancient pa located on a hill on the banks of the Waiongona. It was named Te Morere (the swing), because of the tall swing tree which stood on the site and from which the youth used to swing out and dive into the nearby river. It is located in the rohe of Puketapu hapu.

During the first Taranaki war, Te Morere was a lookout by Puketapu warriors to observe British military movements. In 1863 the British built a redoubt on Te Morere and called the site Sentry Hill. In 1864 Taranaki warriors, including from Te Atiawa, attacked the British redoubt at Te Morere resulting in the deaths of over 50 Maori. The battle of Te Morere is remembered through a haunting poem of mourning composed by Tamati Hone. The poem ends with a comparison of the dead at Te Morere to a wrecked and shattered fleet of waka:

*"How vain your valour, how vain your charge against Morere's walls*

*Lost on that rocky coast of death are all my crews*

*Tanui, Tokomaru, Kurahaupo, Aotea*

*Aue, my brave canoes, Lie broken on the shores."*

Today, the site is dissected by the road. Although there is very little physical evidence of its former glory, Te Morere remains in the cultural memory of Puketapu and Te Atiawa.

#### **Te Henui Stream Conservation Area (as shown on deed plan OTS-043-28)**

The site is on the banks of the Te Henui River, close to three papakainga, Pukewarangi, Puketarata and Parihamore and in the rohe of Ngati Te Whiti Hapu.

Te Henui means "the huge mistake" and refers to an incident that is no longer remembered. The Te Henui River and nearby papakainga were very important to Ngati Te Whiti. The three papakainga were close to each other and their occupants shared resources and strategies in times of conflict with other Hapu or Iwi. All sites are situated on the Te Henui River which was used for transport to the papakainga down river and on the coast.

The papakainga on the coast at the Te Henui river mouth were Purakau, Autere and Kerau. Fish and kaimoana were collected from the river and the nearby reef, Arakaiai and these provided staple as well as gourmet food. Kaimoana and fish were gathered according to strict protocols to ensure sustainability and good health and customary practices such as manaakitanga. Although the resources were important for physical survival and customary practises were important, the land was always important for without it the Hapu had nothing. The relationship with the land and the landscape was that of kaitiaki-guardianship, survival and heritage. The land and its constituent resources were perceived in physical terms as ability to survive and secondly in spiritual terms as turangawaewae/birth right. The ultimate aim was communal well being and balance. From 1841 the land at the mouth of the Te Henui was set aside as reserves for the use of Ngati Te Whiti. During the construction for the sea wall the shape of the mouth of the Te Henui was changed so that the river flows to the sea in a straight line.

Today, the only physical remains are those of the papakainga above as well as the reef, Arakaitai, from which Hapu members still gather kaimoana.

#### **Waiongana Stream Conservation Area (as shown on deed plan OTS-043-29)**

The resources of the lower reaches of the Waiongana supported many papakainga, such as Nga Puke Turua, Mahoetahi, Te Morere and Manutahi. The river itself provided an abundance of large tuna, koura, inanga and piharau. The banks of the river provided flax, manuka and raupo.

The reefs at the mouth of the Waiongana provided pipi, paua, kina, mussels, crab and seaweed. Hapu members would camp at the papakainga at the river mouth during the spring and summer specifically to gather kaimoana and larger ocean fish. The men would go out to fishing if the day and weather was right and only caught one species each day. Sometimes the fishing party met with disaster, as related in the following Korero tawhito (oral history). One morning about twenty waka and two hundred men prepared to set off

to the Hapuka fishing grounds known as Waitawhetawheta. A dispute arose between two members about a particular seat on a particular waka during which fishing gear was thrown into the water. The offended party was the tohunga Mokeuhi who then refused to go out fishing. Whilst the fleet was at sea Mokeuhi conjured up an immense storm which devastated the fleet. There were only two survivors, Kawenui who beached at Urenui and Te Kohita who beached at Motupipi in the South Island.

#### **Waipapa Road Conservation Area (as shown on deed plan OTS-043-30)**

Waipapa is located on the banks of the Waitara River and is in the rohe of Otaraua and Manukorihi Hapu.

The social, cultural, historical and spiritual importance of the Waipapa Road Conservation Area is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waitara River No 1 Marginal Strip (as shown on deed plan OTS-043-20)**

The site is part of the Waipapa Road Conservation Area/Nganana and is in the rohe of Otaraua hapu

The social, cultural, historical and spiritual importance of the Waitara River No.1 Marginal Strip is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waitara West Marginal Strip (as shown on deed plan OTS-043-31)**

The site is located on the coast at the mouth of the Waitara River and is in the rohe of Puketapu and Otaraua Hapu.

The social, cultural, historical and spiritual importance of the Waitara West Marginal Strip is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waiwhakaiho River Mouth (Crown Land Conservation Area) (as shown on deed plan OTS-043-21)**

This site is at the mouth of the Waiwhakaiho River on the edges of the great pa, Rewa Rewa. The site is located in the rohe of Ngati Tawhirikura and Ngati Te Whiti. The river mouth, the wetlands and associated water bodies were important because of its resources

such as raupo (for thatching) water, ferns (for food and blankets) berries, birds, fish, flax (for clothing) and kaimoana reefs. Fish and whitebait, were caught from particular purpose built sites called whakaparu and these remain and continue to be used today. The sand dunes were used as gardens for food crops such as kumara and plants such as pingau, which was used to colour clothing flax. The sand dunes were also used as a temporary urupa because the heat of the sand assists the breaking down of the flesh. Often the ko iwi/bones were removed and interred elsewhere. Rewa Rewa was located on a hill above the river mouth and was an ancient pa which over the generations housed a large population.

The Waiwhakaiho River supported many papakainga from its river mouth to its source on Taranaki, such as Rewa Rewa, Waiwhakaiho, Raiomiti, Te Ngaere, Pukemapo, Te Renega, Pukeotepua and Papamoa. The river was used as a means of transport to nearby papakainga to trade food and taonga and to maintain whanaungatanga. The river is the boundary marker between Ngati Te Whiti and Ngati Tawhirikura and is embodied in pepeha, waiata and Korero tawhito.

### **RIVERS AND TRIBUTARIES**

#### **Herekawe Stream and tributaries (as shown on deed plan OTS-043-32)**

The Herekawe is located to the south of New Plymouth and springs from the land and heads to the Tasman Sea. At its source it is very narrow but widens as it flows to the sea. The Herekawe is located with the rohe of the Ngati Te Whiti Hapu.

The Herekawe was, and is, socially and culturally important because of the freshwater and coastal mahinga kai resources it provided to generations of the Hapu and the many papakainga nearby such as Onuku Taipari, Te Mahoe, Moturoa, Mikotahi, Ruataka, Papawhero.

Two events of more recent times provide evidence of the continuing importance of the Herekawe as a boundary marker. In 2004, the Herekawe is used as one of the boundary indicators between Te Atiawa and Taranaki for their respective 2004 Fisheries Settlements. In 2008 the Herekawe was decided as one of the boundary markers for the Tapuae Marine Reserve after Te Atiawa refused to give up its customary rights to collect kaimoana from the nearby reefs.

Te Atiawa acknowledges the Taranaki Iwi interest in the Herekawe.

#### **Huatoki Stream and tributaries (as shown on deed plan OTS-043-33)**

The Huatoki runs through the centre of New Plymouth. The Huatoki springs from the land and heads to the Tasman Sea. At its source it is very narrow but widens as it flows to the sea. The Huatoki is within the rohe of the Ngati Te Whiti Hapu.

The name Huatoki was coined because of the abundance of the titoki tree, which grew, and still grows, along its banks. A product from the titoki tree, oil, was valued for its cosmetic qualities.

The Huatoki was also important for its running freshwater source and mahinga kai, flax, raupo and timber. The food resources along with the kaimoana from nearby reefs provided ample sustenance for and sustained the papakainga along the banks of the Huatoki, papakainga such as Puke Ariki, Te Kawau, Pukaka, Mawhera, Maripu and Okoare. Most of the papakainga existed peacefully with the others and shared nohonga (places to stay) along the banks of the Huatoki, especially in the summer months, to gather and store resources.

The abundance of resources, however, did not prevent the odd dispute. One such dispute remembered today in Korero tawhito was between Te Rangi Apiti Rua of Puke Ariki and of Manu Kino of Waimanu over the latter's piharau fishing rights. This resulted in Te Rangi Apiti Rua's attacking Waimanu in revenge and the people of Waimanu being rescued by Potaka of Nga Puke Turua.

Another battle occurred when Koronerea, ambushed and defeated a taua from a neighbouring iwi who were advancing up the Huatoki. This battle was named pakirikiri because the bodies of the slain resembled pakirikiri, the rock eyed cod.

The banks were a walkway to other papakainga whilst the river was used as a highway to the coast and inland. Several known tauranga waka sites remain today.

During the Land Wars, British soldiers used a track along the Huatoki from Pukaka/Marsland Hill to the centre of town which was named Red Coat Lane.

The Huatoki retains its historic, cultural and traditional value to Te Atiawa who continue to exercise kaitiakitanga over the river and its conservation and aesthetic values.

#### **Kowhangamoku Stream and tributaries (as shown on deed plan OTS-043-34)**

The Kowhangamoku is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Kowhangamoku is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the

spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Manganui River and tributaries (as shown on deed plan OTS-043-35)**

The Manganui springs from Taranaki Maunga and flows into the Waitara. It is in the rohe of Pukerangiara and Otaraua Hapu.

The social, cultural, historical and spiritual importance of the Manganui River is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity and manawhenua.

#### **Mangati Stream and tributaries (as shown on deed plan OTS-043-36)**

The Mangati is located at Bell Block and springs from the land and flows to the Tasman Sea. It is within the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of Mangati stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity and manawhenua.

#### **Manu Stream and tributaries (as shown on deed plan OTS-043-37)**

The Manu is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Manu Stream illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Motukari Stream and tributaries (as shown on deed plan OTS-043-38)**

The Motukari is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the rivers, streams, lakes and waterways is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity and manawhenua.

#### **Onaero River and tributaries (as shown on deed plan OTS-043-22)**

Part of the Onaero flows through the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Onaero River is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Parahaki Stream and tributaries (as shown on deed plan OTS-043-39)**

The Parahaki is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Parahaki Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Tapuae Stream and tributaries (as shown on deed plan OTS-043-40)**

Part of the Tapuae flows through the rohe of Ngati Te Whiti Hapu.

The social, cultural, historical and spiritual importance of the Tapuae River is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Te Henui Stream and tributaries (as shown on deed plan OTS-043-41)**

The Te Henui is located in east New Plymouth. It springs from the land and runs to the Tasman Sea. At its source it is very narrow but widens as it flows to the sea. The Te Henui is in the rohe of Ngati Te Whiti Hapu. Te Henui means "the huge mistake" and refers to an incident which is no longer remembered.

The Te Henui was very important because of the abundant resources which sustained the physical and metaphysical needs of the papakainga and communities along its banks, such as Purakau, Autere and Kerau. Autere was also a fishing village from which Hapu would launch their waka and sail to offshore fishing grounds. Fish and kaimoana were collected from the river and the nearby reef, Arakaitai, and these provided staple as well as gourmet foods. Kaimoana and fish were gathered according to strict protocols to ensure sustainability and good health. Kaimoana and gourmet foods were important to uphold customs such as manaakitanga. Although the resources were important for physical

survival and customary practises were important, the land was always important for without it the Hapu had nothing.

Further up river were the papakainga of Pukewarangi, Puketarata and Parihamore. These papakainga were located close to each other and shared resources and strategies in times of conflict with other Hapu or Iwi. Pukewarangi and Parihamore were settlements as well as defensive strongholds whilst Puketarata was a settlement which stored food reserves.

#### **Waiau Stream and tributaries (as shown on deed plan OTS-043-42)**

The Waiau is located north of Waitara and springs from the land and flows to the Tasman Sea. It is in the rohe of Ngati Rahiri.

The social, cultural, historical and spiritual importance of the Waiau Stream illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Apart from its other important aspects the Waiau is important as a boundary marker between Te Atiawa and Ngati Mutunga. The Te Atiawa northern coastal boundary point, Te Rau O Te Huia, is on the banks of the Waiau.

#### **Waihi Stream and tributaries (as shown on deed plan OTS-043-43)**

The Waihi is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of Waihi Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waihowaka Stream and tributaries as shown on deed plan OTS-043-44)**

The Waihowaka is located in Bell Block and springs from the land and flows to the Tasman Sea. It is within the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waihowaka Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waiongana Stream and tributaries (as shown on deed plan OTS-043-45)**

The Waiongana flows from Taranaki Maunga to the Tasman Sea and is in the rohe Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waiongana Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waipapa Stream and tributaries (as shown on deed plan OTS-043-45)**

The Waipapa is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Waipapa Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waipu Stream and tributaries (as shown on deed plan OTS-043-46)**

The Waipu Lagoons are located on the coast and are within the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waipu is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waitaha Stream and tributaries (as shown on deed plan OTS-043-48)**

The Waitaha is located in Bell Block and springs from the land and flows to the Tasman Sea. It is in the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waitaha Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

#### **Waitara River and tributaries (as shown on deed plan OTS-043-49)**

The Waitara River is one of the major rivers in the Te Atiawa rohe and takes its name from the legend of Te Whaitara-nui-a-Wharematangi-i-te-kimi-i-tana-matua-i-a-Ngarue. The Waitara flows through the rohe of the Hapu of Manukorihi, Otaraua, Pukerangiora and Ngati Rahiri.

The Waitara River, unlike other substantial rivers within Taranaki, does not flow directly from Maunga Taranaki but springs from the Manganui River which flows off the mountain and converges with the Waitara River.

The Waitara river mouth was one of the first areas to be settled in Aotearoa and life was sustained here by the abundant resources provided by the reefs and wetlands. There were many kainga and tauranga waka at the mouth of the Waitara and the kainga later became seasonal fishing villages as Te Atiawa spread along and inhabited the entire length of the Waitara River. One of the streams, Mangahinau, was the mooring site for the largest Te Atiawa war waka, Eanganui.

There were many papakainga along the banks of the Waitara, such as Ngangana, Kuikui, Te Whanga, Huirapa, Werohia, Aorangi, Puketapu, Mamaku, Tokitahi, Purimu, Karaka, Te Awaiotetaki, Manukorihi, Pukerangiora, Mangaemiemi / Te Ahikaroa, Wakatete, Kerepapaka, Tahunakau, and Taumaatene. The Waitara River provided an abundance of fish, inanga, tuna/eel, piharau, kahawai, yellow eyed mullet, flounder, herrings, kokopu, weka, pukeko, ducks. One of the river's tributaries, the Tangaroa, was an important spawning area for inanga and native fish. The Hapu fished from purpose built platforms and this technique continues today to describe customary fishing locations on the river. Each whakaparu was named and these names remain and continue to be used by Te Atiawa today. The mara / gardens along the river included Te Rore, Mangahinau, Panekeneke, Opakaru, Te Ramarama and Mangaemiemi. The urupaa include Te Rohutu, Manaaiti, Pukehou, Teremutu and Ngangana. The natural defences and height provided by the cliffs provided control of the Waitara River. Aorangi along with Pukekohe and Manukorihi, formed a triangle of strongly defended paa in the valley. In its upper reaches, its cliffs provided defence for Pukerangora Pa and in one battle many Pukerangiora people jumped from the cliffs into the Waitara River.

The river continues to be, an important resource for mahinga kai. Contemporary uses of the site include cultural harvesting (fish, whitebait) and the site is valued because of its biodiversity and conservation values.

Te Atiawa has a physical, historical and spiritual relationship with the Waitara River. All elements of the natural environment possess a life force, or mauri. This is a critical element of the spiritual relationship of Te Atiawa to the Waitara River which has a spiritual force and personality of its own.

The Waitara River has been, and continues to be an integral part of the social, spiritual and physical fabric of Te Atiawa and is celebrated in karakia, waiata and pepeha.

### **Waiwhakaiho River and tributaries (as shown on deed plan OTS-043-50)**

The Waiwhakaiho River is located in the suburb of Fitzroy, New Plymouth and flows from Taranaki Maunga to the Tasman Sea. It is one of the largest rivers in the Te Atiawa rohe and has several tributaries including the Mangaone and Mangorei. At its mouth today there is a man made waterway, Lake Rotomanu which was created in the 1960s to provide a habitat and refuge for wildlife and is also used for recreational purposes.

The Waiwhakaiho River is the ancient boundary marker between Ngati Te Whiti and Ngati Tawhirikura and is embodied in pepeha and korero tawhito. In former times the Waiwhakaiho River marked the boundary of the rohe of Puketapu, Ngati Tawhirikura and Ngati Te Whiti.

The Waiwhakaiho River was very important because of the abundant resources which sustained the physical and metaphysical needs of the papakainga and communities along its banks, papakainga such as Rewa Rewa, Waiwhakaiho River, Raiomiti, Te Ngaere, Pukemapo, Te Renega, Pukeotepua and Papamoa.

The Waiwhakaiho River mouth, the wetlands and associated water bodies were important because of resources such as raupo, water, ferns, berries, birds, fish, flax and kaimoana. The river fish and whitebait were caught from particular purpose built sites called whakaparu and these remain and continue to be used today.

There were several papakainga on the river from its mouth to further inland. Rewa Rewa was located on a hill above the river mouth and was an ancient paa which, over the generations, housed a large population. Other papakainga along the river were Waiwhakaiho River, Raiomiti, Te Ngaere, Pukemapo, Te Rerenga, Puke O Te Pua and Papamoa. The river was also used as a means of transport to nearby papakainga to trade food and taonga and to maintain whanaungatanga.

The Waiwhakaiho River remains an important river today. Te Atiawa has a physical, historical and spiritual relationship with the Waiwhakaiho River. All elements of the natural environment possess a life force, or mauri. This is a critical element of the spiritual relationship of Te Atiawa to the Waiwhakaiho River which has a spiritual force and personality of its own.

The Waiwhakaiho River has been, and continues to be an integral part of the social, spiritual and physical fabric of Te Atiawa and is celebrated in karakia, waiata and pepeha.

### **From Herekawe Stream to Onaero River (referred to in clause 5.11.1(rr) of the deed as Te Atiawa Coastal Marine Area (as shown on deed plan OTS-043-51)**

This statement describes the Te Atiawa association and values in relation to its coastal marine area.

The Te Atiawa rohe commences from Te Rau O Te Huia, along the coast westward to the Herekawe, inland to Tahuna Tutawa, thence to Whakangeregere, continuing to Taramoukou, thence turning northwards to Te Rau O Te Huia.

The coastal marine area was part of the natural world which encompassed the expanses of Ranginui, the immensity of Papatuanuku, and the vastness of Tangaroa. It was an important part of the tribal rohe and included land, outlets, streams, rivers, lagoons, reefs, beaches and sand hills. Just as hapu exercised mana over the whenua, so it exercised mana over the moana.

The Te Atiawa social, cultural and spiritual relationship with the coastal marine area was very important and is one of long-standing which began with the first Te Atiawa tupuna and has continued through the centuries to the present day. Many of the first settlements in the rohe, such as Nga Motu and the Waitara River, were on the coast. The papakainga was the centre of social, cultural, economic and spiritual wellbeing. Papakainga such as Puke Ariki, Purakau, Rewa Rewa and Mangati were located on the coast close to the valued resources of water, mahinga kai and kaimoana. The resources sustained and nourished the lwi and were important to ensure survival and to maintain the spiritual, cultural and economic prosperity of Te Atiawa. The spiritual relationship was embodied in the ideologies, kawa, karakia and tikanga such as rahui. Every reef and lagoon was named and these names remain and the resources are harvested and customary rights continue to be exercised. Examples of the reefs are Papamoa, Tarawhata, Kawarua, Arakaitai and Mangati. The sites also include urupa and tauranga waka, such as Autere. Te Atiawa has and continues to exercise, its kaitiakitanga on the coastline from the Herekawe to Te Rau O Te Huia.

The cultural and spiritual importance of the coastline and marine area continues to be embodied in waiata pepeha, traditions and histories and continues to underpin the mana and mauri of the Te Atiawa hapu. These ideologies and histories reinforce the connection, tribal identity and continuity between the generations to the present. The statement above illustrates the strong and ongoing Te Atiawa connection and association with the coastal marine area from the Herekawe to Te Rau O Te Huia.