

1 INTRODUCTION

1.1 Title and Purpose of Plan

1.1.1 This Plan is to be known as the **HAWKE'S BAY REGIONAL RESOURCE MANAGEMENT PLAN (incorporating the Regional Policy Statement)**. It has been prepared by the Hawke's Bay Regional Council ("HBRC") in accordance with the Council's functions under the Resource Management Act 1991 ("RMA").

1.1.2 The purpose of this Plan is to set out a policy framework for managing resource use activities in an integrated manner across the Hawke's Bay region. Management of the coastal marine area and wider coastal environment is largely addressed in the Hawke's Bay Regional Coastal Environment Plan, and the New Zealand Coastal Policy Statement. ***The Regional Policy Statement section of this document recognises the regional significance of the coastal marine area and wider coastal environment of Hawke's Bay. However rules covering the Coastal Marine Area and coastal environment are covered in the Regional Coastal Environment Plan.***

Therefore, the Hawke's Bay Regional Resource Management Plan has effect:

- ***Over the whole of the Hawke's Bay region in relation to the Regional Policy Statement.***
- ***Over the whole of the Hawke's Bay region, (Figure 1), excluding the coastal environment for all other activities that are the function of the HBRC under the RMA.***

1.1.3 This Plan replaces the Regional Policy Statement (HBRC, 1995), and the following regional plans prepared by the HBRC under the RMA:

- (a) The Regional River Bed Gravel Extraction Plan (HBRC, 1994).
- (b) The Regional Waste and Hazardous Substances Plan (HBRC, 1995).
- (c) The Regional Air Plan (HBRC, 1998).
- (d) The Regional Water Resources Plan (HBRC, 2000).

1.1.4 The process of developing this Plan involved the review and merger of the documents listed above, as well as the preparation of new policy. **In particular, the policy framework for land management contained within this Plan is new.** It is considered that the substantial reduction in the number of policy documents will improve the quality of the policy framework and make it easier to use. The reduction of policy documents will result in just two statutory planning documents under the RMA:

- (a) The Hawke's Bay Regional Resource Management Plan (incorporating the requirements for a regional policy statement), i.e. this Plan, and
- (b) The Hawke's Bay Regional Coastal Environment Plan.

1.1.5 This Plan has legal force under the RMA. The regional rules contained within it have the force and effect of a regulation under the Act. The HBRC must have regard to the provisions of the Plan when considering applications for resource consents. In addition, territorial local authorities within Hawke's Bay must ensure that their district plans are not inconsistent with the provisions of this Plan.

1.2 Plan Structure

1.2.1 As noted in section 1.1, this Plan is a combined regional policy statement and regional plan. Chapters 1-4 of the document meet the requirements of section 62 of the RMA in relation to the contents of regional policy statements. Chapters 5-8 of the document meet the requirements of section 67 of the RMA in relation to the contents of regional plans. Chapter 9 (Glossary), the Schedules and Maps are included to support both the Regional Policy Statement, and Regional Plan, as appropriate.

Chapter 1 Introduction - This Chapter introduces the purpose and structure of the Plan, and provides an overview of its statutory context.

Chapter 2 Key Regional Policy Statement Objectives – Chapter 2 sets out the key objectives sought to be achieved by the Regional Policy Statement. This chapter is fundamental to achieving integrated resource management in Hawke's Bay.

Chapter 3 Regionally Significant Issues, Objectives and Policies - Chapter 3 presents an overview of regionally significant resource management issues in Hawke's Bay, as required by section 62 of the RMA. It sets out the specific objectives and policies for addressing these regionally significant issues. Matters of resource management significance to iwi/hapu are also covered in this chapter.

Chapter 4 Non-regulatory Methods – Chapter 4 sets out the non-regulatory methods to be used by the HBRC. Non-regulatory methods include education, co-ordination, liaison with territorial authorities, economic instruments, works and services, monitoring, and research. For some of these methods much of the detail is contained within other documents e.g. the HBRC's Environmental Education Strategy.

Chapter 5 Regional Plan Objectives and Policies – Chapter 5 sets out the key objectives sought to be achieved by the Regional Plan by establishing an overall framework for the management of land, air quality, surface water quality, groundwater quality and the beds of lakes and rivers throughout the region (but not within the coastal environment). The policies relating to these objectives set environmental guidelines and how the guidelines will be implemented.

Chapter 6 Regional Rules and Resource Consents - Chapter 6 is the regulatory section of the Plan. It contains regional rules that allow, regulate or prohibit resource use activities across the region (but not within the coastal environment). Chapter 6 starts with a Users' Guide, to assist readers with interpretation of the rules, and a summary of all the rules contained within the Plan.

Chapter 7 Information Requirements – Chapter 7 sets out what information must be submitted with resource consent applications.

Chapter 8 Administrative Matters – Chapter 8 includes guidelines for Council's preferred approach for the use of regional rules, resource consent processes, and enforcement procedures. It describes the circumstances under which the HBRC will seek financial contributions from resource users, the procedures for dealing with cross-boundary issues, and the approaches for monitoring and reviewing this Plan.

Chapter 9 The Glossary provides clarification of some terms used in this document. An asterisk (*) indicates that a meaning is the same as that provided in Section 2 of the RMA.

Schedules The Schedules contain area-specific provisions, or other specific details relating to implementation of the policies or rules. The Schedules are cross-referenced within the main body of the Plan. It is envisaged that if further specific issues (as opposed to region-wide issues) arise once this Plan has become operative, additional Schedules will be promulgated by way of publicly notified changes to this Plan.

Maps The maps are at the rear of this Plan, or can be viewed on the CD-Rom provided.

1.3 Statutory Context

- 1.3.1 This section sets out the statutory context for this Plan. It has been included to help explain the context under which this Plan has been developed.

1.3.2 THE RESOURCE MANAGEMENT ACT 1991

OVERVIEW

- 1.3.2.1 The RMA is the principal statute for managing the use of natural and physical resources. The Act establishes an integrated framework for the management of activities affecting land, air, water and ecosystems, including the coast. Its overarching purpose is to promote the sustainable management of natural and physical resources.
- 1.3.2.2 Part II of the RMA sets out the purpose and principles of the Act, which govern decision making and the policy formation functions of regional councils in respect of resource management.
- 1.3.2.3 Section 5 of Part II contains the purpose of the RMA. Section 5 states:
“The purpose of this Act is to promote the sustainable management of natural and physical resources.
- In this Act, ‘sustainable management’ means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural 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; and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*
- 1.3.2.4 A hierarchy of principles of the RMA is also contained within Part II. The principles define matters that the HBRC must address in relation to managing the use, development and protection of natural and physical resources. These are matters of national importance, which the HBRC must recognise and provide for (section 6); other matters such as kaitiakitanga, the efficient use and development of natural and physical resources and maintenance and enhancement of the quality of the environment, which the HBRC must have particular regard to (section 7); and the principles of the Treaty of Waitangi, which the HBRC must take into account (section 8).
- 1.3.2.5 The HBRC has given effect to the purpose of the RMA by establishing policies and methods in this Plan which focus on both managing environmental effects and enabling activities to take place. The Council believes that, while establishing a policy framework for sustaining natural and physical resources is clearly fundamental, it is also important to provide certainty and minimise costs for the people of the region. Hence, the Council has sought to regulate activities only to the degree necessary to meet the purpose of the Act. A key approach of this Plan is to permit minor activities which have little environmental effect, that would otherwise be restricted under the RMA.
- 1.3.2.6 Part III of the Act sets out duties and restrictions on people carrying out activities which may affect the environment. Most activities affecting ‘public’ resources – coasts, air, water, rivers and lakes – are restricted under the Act, e.g. discharges of contaminants, water abstractions, and structures in river beds. This means that a resource consent must be obtained before these types of activities can be undertaken, unless there are rules in a plan stating otherwise. By contrast, land use activities are not restricted under the RMA, unless a council writes rules regulating land use activities, as most land is a ‘private’ resource. Land use activities remain largely unregulated by the HBRC. Reference should be made to the relevant district plan for further requirements in respect of land use.

- 1.3.2.7 The Hawke's Bay Regional Resource Management Plan is a statutory document in accordance with the functions vested in the HBRC under the RMA. The functions relevant to this Plan are summarised below:
- (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.
 - (b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.
 - (c) The control of the use of land (including the beds of water bodies) for the purpose of soil conservation; the maintenance or enhancement of water quality; the maintenance of water quantity; the avoidance or mitigation of natural hazards; or the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances.
 - (d) The control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body.
 - (e) The control of discharges of contaminants into or onto land, air, or water and discharges of water into water.
 - (f) In relation to the bed of a water body, the control of the introduction or planting of any plant, for the purpose of: soil conservation; the maintenance or enhancement of water quality; the maintenance of water quantity; or the avoidance or mitigation of natural hazards.

POLICY STATEMENTS AND PLANS

- 1.3.2.8 This Plan combines the requirements for preparation of a regional policy statement and a regional plan. Under the RMA, the preparation of a regional policy statement is mandatory, whereas the preparation of a regional plan (except for a regional coastal plan) is not. However, in most respects regional policy statements and regional plans are treated similarly under the Act. In particular:
- (a) The processes for preparing regional policy statements and regional plans are identical.
 - (b) The effects of each on resource consents and district plans are identical.
 - (c) The matters to be considered in preparing regional policy statements and regional plans are almost identical. There are minor additional considerations for regional plans: they must not be inconsistent with the regional policy statement or other regional plans of the region concerned; they must be prepared with regard to both the regional policy statement and regional plans of adjacent regions; and they must be prepared with regard to the Crown's interest in the coastal marine area.
- 1.3.2.9 The differences between regional policy statements and regional plans, in terms of the provisions of the RMA, are as follows:
- (a) **Purpose** - The purpose of regional policy statements is different to, and more tightly prescribed than, that of regional plans. The purpose of a regional policy statement is to provide an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region. The purpose of a regional plan is to assist a regional council to carry out any of its functions in order to achieve the purpose of the RMA.
 - (b) **Issues and iwi matters** - Regional policy statements must state the significant resource management issues of the region, and matters of resource management significance to iwi authorities. By contrast, regional plans are simply required to state the issues to be addressed in the plan.
 - (c) **Natural hazards and hazardous substances** - Regional policy statements must set out local authority responsibilities in respect of natural hazards and hazardous substances.

- (d) **Regional rules and resource consent information** - Rules can only be contained in a regional plan. In addition, a regional plan must set out the information to be submitted with an application for a resource consent.
- (e) **Combined plans** - A regional council may combine with one or more other regional councils, or one or more territorial authorities, to prepare plans jointly. No such provisions exist for regional policy statements.
- (f) **Changing regional policy statements and regional plans** - Any person may request a change to a regional plan. However only Ministers of the Crown and territorial authorities may request a change to a regional policy statement.

1.3.2.10 None of these differences precludes the HBRC from preparing this combined regional policy statement and regional plan. Council notes that under these requirements any person may request a change to this Plan.

1.3.3 COUNCIL'S POLICY DEVELOPMENT FRAMEWORK

1.3.3.1 As noted in section 1.1, the HBRC has prepared a number of regional plans under the RMA. This Plan has built upon, and merged, all of these except the Regional Coastal Environment Plan. However, it is important for plan users to note that the Regional Policy Statement part of this Plan applies over the whole region, including the coastal environment. The Regional Coastal Environment Plan will remain separate, in part owing to the role of the Minister of Conservation in approving regional coastal plans, and the existence of the New Zealand Coastal Policy Statement. At the time of writing this Plan, the New Zealand Coastal Policy Statement was the only national policy statement in existence.

1.3.3.2 The HBRC has merged the Regional Policy Statement and all other regional plans (excluding the Regional Coastal Environment Plan) into this one document in order to provide a more integrated and user-friendly approach. The overall size of this Plan is considerably smaller than the combined size of the policy statement and plans it has replaced. In addition, the risk of overlaps, gaps and inconsistencies between different rules or policies is lessened.

1.3.3.3 The timing of the preparing of the Hawke's Bay Regional Resource Management Plan was determined by the desire to improve upon other plans already prepared, the need to introduce land management policy, and the short duration of the former Proposed Regional Water Resources Plan (which was to be reviewed after 3 years). This Plan draws on the results of investigations, monitoring and research undertaken since the former plans were prepared.

1.3.3.4 In addition to its functions under the Resource Management Act 1991, the HBRC has related functions and programmes under other statutes. Flood protection works and soil conservation activities are undertaken pursuant to the Soil Conservation and Rivers Control Act 1941; the management of plant and animal pests is

carried out under the Biosecurity Act 1993 (including 'environmental' pest control programmes); and land drainage activities are undertaken pursuant to the Land Drainage Act 1908. The HBRC owns significant assets and areas of land in relation to its flood protection and drainage activities. In this respect, the Council has property owner rights equivalent to those of other property owners.

1.3.4 THE ROLE OF OTHER ORGANISATIONS

1.3.4.1 The HBRC views itself as just one of many organisations involved in resource management. It seeks to develop partnerships with other stakeholders, in order to work together to achieve environmental outcomes. Other key stakeholders are noted below.

(a) TERRITORIAL LOCAL AUTHORITIES

There are four main territorial local authorities in the Hawke's Bay region: Wairoa District Council, Napier City Council, Hastings District Council, and Central Hawke's Bay District Council. In addition, the Taupo and Rangitikei District Councils each have a small area in the Hawke's Bay region.

Territorial local authorities have statutory functions, powers and duties under the RMA, predominantly in relation to land use and subdivision. They must prepare a district plan to assist them in carrying out their functions under the RMA. The functions of territorial authorities and regional councils overlap in relation to land use, and can cause cross-boundary effects in other respects (e.g. land use activities regulated by the territorial authority can affect water quality, which is managed by the HBRC). It is therefore critical that the HBRC and the territorial authorities in the region establish a sound working relationship and compatible environmental policy.

(b) **RESOURCE USERS**

The environmental behaviour of a resource user is influenced by a number of factors. These include the market demand for "clean, safe" products; the environmental ethic of the business; the availability of information about sound environmental practices; the degree of public exposure; the need to comply with rules and regulations; and the sanctions for non-compliance. Because regional councils are just one area of influence, it is important to work with resource users to ascertain how the HBRC can be most effective. In particular, recognising the efforts made by resource users to improve their own environmental performance is important.

(c) **REGIONAL COMMUNITY**

As well as businesses, many other groups and individuals in Hawke's Bay carry out activities for managing or improving the environment. Groups include those established by statute - Fish and Game Councils, the New Zealand Historic Places Trust, the Queen Elizabeth the Second National Trust - and many non-statutory organisations active in Hawke's Bay, e.g. the Royal Forest and Bird Protection Society. It is important for the HBRC to recognise the initiatives of these groups and individuals, offering support if appropriate, and avoiding duplication in methods within this Plan.

(d) **GOVERNMENT ORGANISATIONS**

In addition to the HBRC and territorial authorities, there are three government organisations which play key roles in environmental management:

- (i) **The Ministry for the Environment** - Administers the RMA, and provides other government policy advice regarding the environment.
- (ii) **The Department of Conservation** - Promotes the conservation of natural and historic resources, administers the Crown conservation estate, and administers a number of Acts dealing with the management of natural and historic resources.
- (iii) **The Parliamentary Commissioner for the Environment** - Responsible for monitoring the effectiveness of government organisational arrangements for managing the environment, and acts as an "environmental ombudsman" for members of the public.

- 1.3.4.2 Many other local and national organisations contribute to the level of knowledge and understanding about natural resources and resource management, including Te Puni Kokiri, Crown Research Institutes, universities and other publicly funded agencies.

1.4 The Hawke's Bay Region

- 1.4.1 This section provides a brief overview of the natural and physical resources of the Hawke's Bay region. It draws predominantly on information contained within the HBRC's first State of the Environment report (HBRC, 1997). The State of the Environment report, together with other technical reports prepared by the Council, should be referred to for more detailed information about the Hawke's Bay region.

1.4.2 LOCATION AND HISTORY

- 1.4.2.1 The Hawke's Bay region covers a land area of approximately 1,416,000 hectares on the east coast of the North Island of New Zealand. The region stretches from north of Mahia Peninsula to just south of Porangahau, and is flanked in the east by the coastline and in the west by the Ruahine, Kaweka, Kaimanawa, Huiarau and Ahimanawa Ranges (Figure 1).
- 1.4.2.2 Prior to settlement, Hawke's Bay was covered in dense native forest, wetland vegetation, and high country tussock. Following European settlement the secondary vegetation of scrubland and fern, together with many wetlands and much of the steep back country forest and tussock, was further modified to introduced grassland. The loss of natural forest, tussock and wetlands has been very extensive, and has given rise to the relatively stark landscape that now typifies much of Hawke's Bay.
- 1.4.2.3 European settlement began in earnest in the 1840's and 50's, with sheep stations being the predominant rural land use. Settlements became established during this time at Clyde (Wairoa), Takapau, Napier, Taradale, Havelock North and Tikokino. By the end of 1856 nearly half the area of the region was in settlers' ownership and over half of this was occupied by sheep runs or pasture. Horticulture in the form of commercial orchards developed during the late 1800's, leading to greater diversification in land use. Livestock farming and horticulture have continued to be the main economic land uses throughout much of the 1900's. Vineyards were first established by the turn of the century, but remained a minor land use until the last 20 years. The area planted in grapes has grown significantly in recent years and is predicted to continue to expand, especially in river terrace areas. Forestry is also increasing at present, and dairying is being reintroduced, at the expense of meat and wool farming.
- 1.4.2.4 The population of the Hawke's Bay region at the 1996 census totalled 144,300. This represents an increase of 4,800 from the 1991 total of 139,500. Approximately 20% of the population is of Maori descent. The people of Hawke's Bay live mainly in the cities of Napier and Hastings (including Havelock North), which have a combined population of 115,000, and in the towns of Wairoa, Waipukurau and Waipawa.

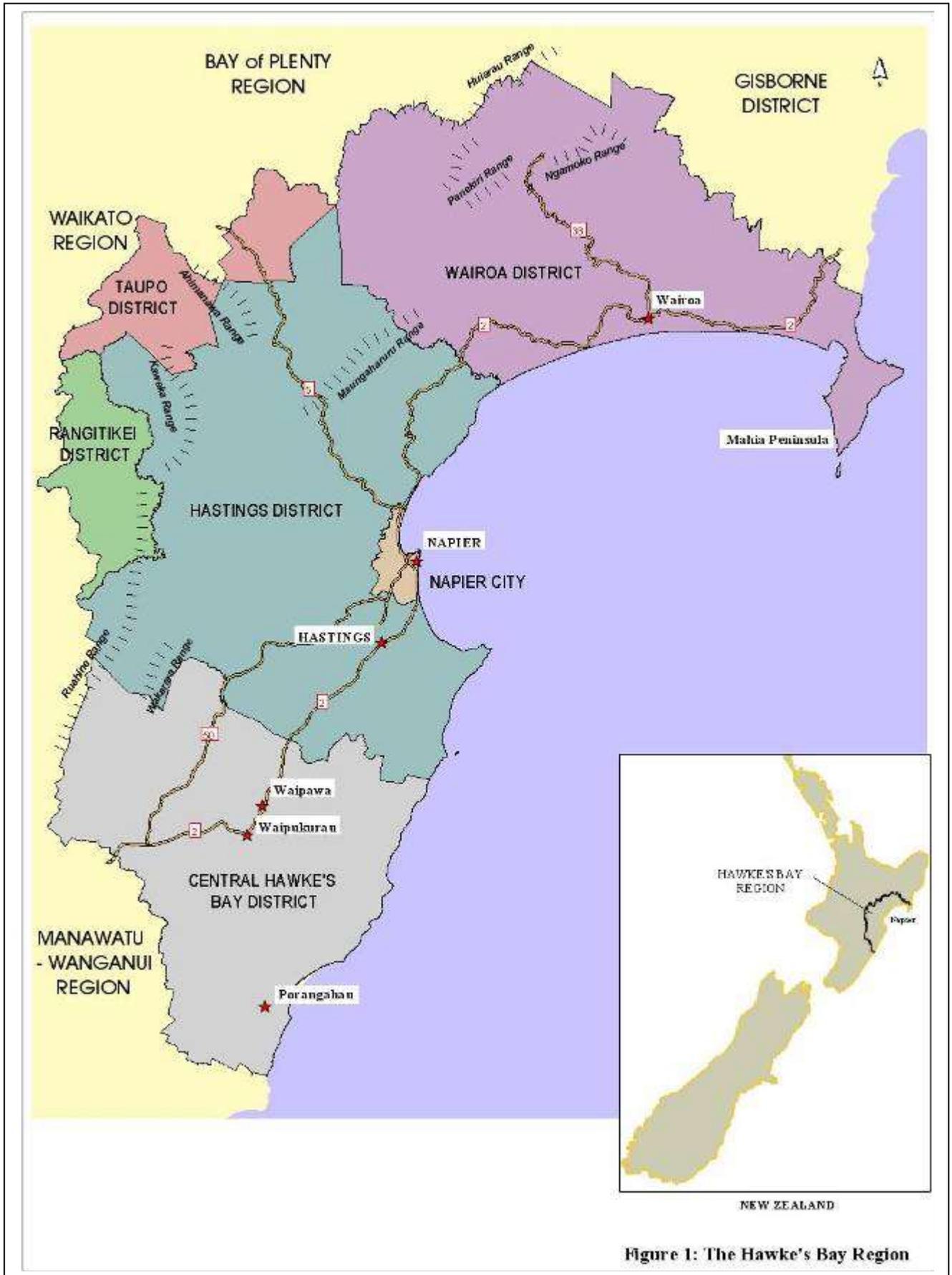


Figure 1: The Hawke's Bay Region

1.4.3 CLIMATE

- 1.4.3.1 The climate of Hawke's Bay is heavily influenced by its position eastward of the mountain ranges. The ranges provide a sheltering effect from the predominant westerly weather pattern over New Zealand, resulting in a dry, sunny, temperate climate. Droughts are a regular feature of Hawke's Bay, particularly in association with the El Nino-Southern Oscillation phenomenon. However, Hawke's Bay has also experienced repeated flooding, owing to the variability in rainfall both across the region and over time. This has resulted in a significant investment by the HBRC in extensive flood protection works. With respect to winds, over the central and southern parts of Hawke's Bay the predominant wind direction is west or south-west with very strong westerlies occurring during equinoctial periods. Southerlies can be equally severe but are usually of much shorter duration. In the north, the wind tends to blow most frequently from the north or north-west.

1.4.4 THE LAND

- 1.4.4.1 The landforms of Hawke's Bay are controlled by its geology. Overall, the region possesses three main landforms: greywacke ranges in the west (part of the main axial range of the North Island), large areas of alluvial plains formed by outwash from the ranges and volcanic deposits from the central volcanic area of New Zealand, and softer tertiary hill country towards the coast.
- 1.4.4.2 In the west, the greywacke ranges rise to 1724 m above sea level providing the headwaters for the region's rivers. This area contains both steep mountains and plateaux. The mountains, formerly covered by forest and tussock, have areas that are severely eroded. The plateau areas, which are gently sloping, are covered in tussock and pasture lands. In the north-west, the plateau areas bound the Rangitaiki Plateau with its deep pumice deposits. These deposits have also infilled the valleys of the Ngaruroro catchment and have been washed out onto the Heretaunga Plains.
- 1.4.4.3 East of the greywacke ranges, the tertiary sediments dominate and form the hill country. Movement of the earth's crust has tilted these generally parallel to the coast. The coastal ranges south of the Heretaunga Plains comprise both limestone capped plateaux and mudstone hill country. The stable limestone provides grand landscapes. The mudstone has a high potential for earthflow, slip and gully erosion.
- 1.4.4.4 Between the coastal ranges and the greywacke ranges are areas of low relief filled by gravels eroded from the greywacke and washed out onto plains. To the south these form the Ruataniwha Plains and further north the dissected gravel hill country west of State Highway 50. The largest area, the Heretaunga Plains, has formed from sediments deposited from the Tukituki, Ngaruroro and Tutaekuri rivers. During glacial periods deep gravel beds were deposited, with sands, silts and clays deposited during interglacial periods. This pattern has created a series of aquifers which provide water for the diverse soils of the plains and allows intensive use to be made of them.
- 1.4.4.5 North of the Heretaunga Plains the land generally slopes upwards from the coast towards the ranges in tilted blocks. These form the characteristic landforms of the Tutira area. In the Wairoa area siltstones provide a very slip prone hill country landscape.
- 1.4.4.6 Volcanic ash from the Taupo Volcanic Centre has been deposited over the Hawke's Bay landscape. The most recent ash showers were the Taupo deposits of 130 AD. They form recent soils requiring high rates of phosphate fertiliser for sustained plant and animal production.
- 1.4.4.7 Soil erosion is a key issue for Hawke's Bay. It can take many decades for topsoil to re-establish on slip scars, research shows that productivity rarely returns to more than 80% of the uneroded potential.
- 1.4.4.8 The unstable nature of much of Hawke's Bay's hill country can be seen from the many lakes. Many of these have been formed as a result of large landslides, probably induced by earthquakes that caused hills to collapse into valleys blocking streams. Further indications of instability can be seen from the many landslide scars. Landslides occur during high intensity rainstorms (when intensities are greater than 200 mm in 2 to 3 days). These events generally occur at least once every ten years somewhere within the region.

- 1.4.4.9 Wind erosion is also a problem on light cropping soils.
- 1.4.4.10 Land use in Hawke's Bay is slowly evolving. Viticulture is becoming more predominant on the flats, dairying is intensifying in the higher rainfall areas, pastoral farming is intensifying and plantation forestry is slowly extending (Maps showing the Land Use of the region as at 1995-96 are provided in Schedule II of the Maps).

1.4.5 AIR QUALITY

- 1.4.5.1 The Hawke's Bay region enjoys relatively clean air. The region has a low population density and only a few major industrial emissions. Monitoring undertaken since 1994 has shown that the air quality in Hawke's Bay has remained within the New Zealand Ambient Air Quality Guidelines (Ministry for the Environment, 1994), apart from unusually high levels of ash following eruptions of Mt Ruapehu. However, air quality problems do exist. Data from the HBRC's complaints register indicate that the three predominant air quality concerns are agricultural spray drift, odour and dust. All three problems are relatively localised in effect and do not compromise the overall quality of the regional air resource. However, some adverse effects are experienced and resource users will be required to avoid, remedy, or mitigate the adverse environmental effects of these activities on the air resource.

1.4.6 WATER RESOURCES

- 1.4.6.1 Hawke's Bay has seven major river systems and four major lakes, as well as many minor rivers, streams, lakes and wetland systems. The main rivers and lakes are shown in Figure 2.
- 1.4.6.2 The major river systems are the Wairoa, Mohaka, Esk, Tutaekuri, Ngaruroro, Tukituki and Porangahau Rivers. These are mostly fast flowing, clean, gravel rivers, with extensive braided reaches. They support a rich and diverse wildlife, and are well known for the recreational opportunities they offer, including fishing, jet boating, canoeing, rafting and swimming. They are used for water supply and irrigation purposes, but do not receive a large number of point source waste discharges. River flows and temperatures fluctuate markedly due to droughts, causing problems for instream biota and for water supply.
- 1.4.6.3 The four major lakes in Hawke's Bay are Lake Waikaremoana, Lake Waikareiti, Lake Tutira and Lake Poukawa. Lake Waikaremoana is a jewel of the Hawke's Bay region. It lies at an elevation of 615 metres above sea level, and is part of the Urewera National Park. The lake was formed by a landslide approximately 2200 years ago, and it is the deepest lake in the North Island. The lake and its environs are used for recreation. There are three hydroelectric power stations (Kaitawa, Tuai and Piripaua) downstream of Waikaremoana, with a combined generation capacity of 135 MW. Lake Waikareiti lies close to Lake Waikaremoana. It is considerably smaller, but is also used for recreational purposes. Lake Tutira (also formed by a landslide) is situated approximately 50 km north of Napier and, owing to its proximity to urban centres, is also used for recreation. Lake Poukawa is located within an intensively farmed area. It is a very shallow lake (with an average depth of just 1 m). Its size fluctuates, highly influenced by rainfall, evaporation, and drainage systems. It can increase up to three times its average size after heavy rainfall.
- 1.4.6.4 In Hawke's Bay groundwater is increasingly relied upon as a dependable and safe water supply for domestic, irrigation and industrial purposes. There are two known major groundwater systems in Hawke's Bay – under the Heretaunga Plains and Ruataniwha Plains (Figure 3) – but many smaller systems are also known and used.
- 1.4.6.5 The Heretaunga Plains aquifer system is critical for providing groundwater to Napier and Hastings, as well as for horticultural and industrial use. The main natural sources of recharge for the Heretaunga Plains aquifer system are the Ngaruroro River at Roys Hill, and rainfall falling on the unconfined aquifer. In addition, the HBRC operates an artificial recharge system in the Roys Hill area to supplement the natural rate of recharge.
- 1.4.6.6 Studies of the Heretaunga Plains aquifer to date have concluded that the overall rate of groundwater abstraction does not exceed the rate of recharge (Dravid and Brown, 1997). Groundwater is therefore in adequate supply at present, although seasonal fluctuations in groundwater level occur. These are most

marked in fringe areas, and can cause shallow bores and wells in these areas to dry up during summer. The quality of groundwater throughout the aquifer system is very good. However, careful management is required to ensure that this remains the case. Groundwater quality is at risk from various activities, including intensive primary production, domestic waste, agrichemical use, industrial activities, underground storage tanks, landfills and accidental spillages. Resource users will be required to avoid, remedy, or mitigate the adverse environmental effects of these activities on the water resource.

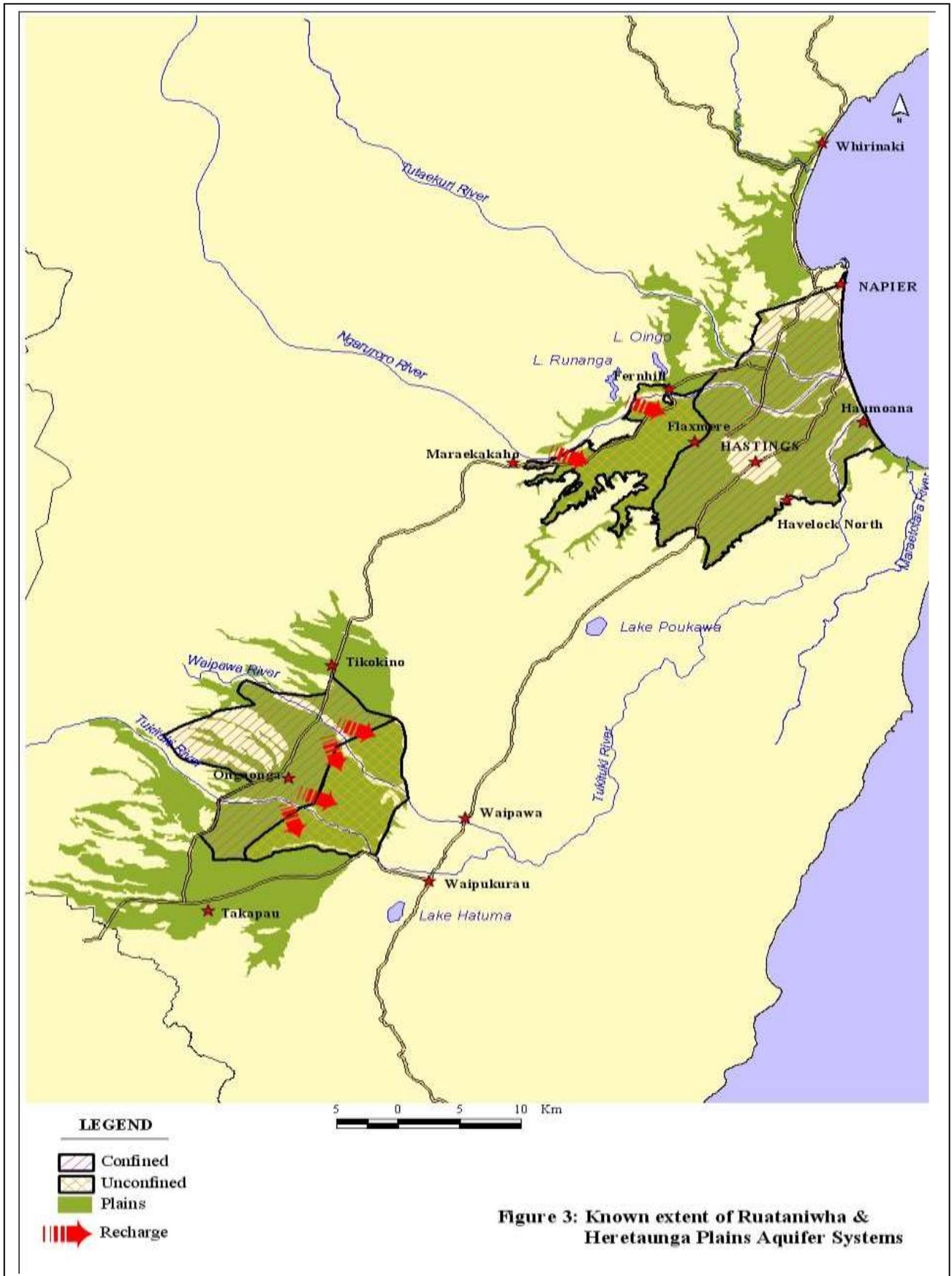
- 1.4.6.7 The Ruataniwha Plains aquifer system is located in Central Hawke's Bay, stretching across the Waipawa and Tukituki Rivers. The aquifer system comprises a shallow unconfined aquifer which is recharged from the Waipawa and Tukituki Rivers, and several deeper confined aquifers. The quantity of groundwater under the Ruataniwha Plains is considerably less than that under the Heretaunga Plains. In general the quality of groundwater within the Ruataniwha Plains alluvial aquifers is high in response to clean surface water recharging the alluvial aquifer system.

1.4.7 COASTAL RESOURCES

- 1.4.7.1 Hawke's Bay's varied coastal resources comprise deep offshore open waters, shallower continental shelf and a mixed and dynamic coastline, which forms the interface of the coastal environment with the land and freshwater environments. The coastline ranges from undulating sea cliffs to low-lying areas of longshore bars and dunes, interspersed with both sandy and shingle beaches. A series of reefs and a number of small islands occur offshore.
- 1.4.7.2 The coastal environment is a rich and productive ecosystem with a broad range of habitats supporting a diverse flora and fauna. Coastal dunelands, river mouths, reefs and rocky shores and outcrops are amongst the significant habitats in Hawke's Bay. A number of areas of significant conservation value have been identified in the Regional Coastal Environment Plan, and form a key part in the management of the coastal environment.
- 1.4.7.3 A number of major facilities and public utilities are located within the Hawke's Bay coastal environment. These include roads and port facilities, such as the Port of Napier and the wharves, slipways, and marina of the Inner Harbour.
- 1.4.7.4 The Regional Coastal Environment Plan applies to the Hawke's Bay coastal environment, which includes the coastal marine area.

1.4.8 PHYSICAL RESOURCES

- 1.4.8.1 The economic, and to some extent the social and cultural wellbeing of the people of Hawke's Bay is largely dependent upon the physical infrastructure of the region.
- 1.4.8.2 The roading and rail networks, the port and the regional airport, all provide essential facilities for the transport of both people and freight. The telecommunication and radio-communication networks provide for the personal, business and emergency communication, for the transfer of data and information, and for access to regional, inter-regional and international information sources. Energy networks provide and distribute electrical and gas energy which is essential for ensuring the health and safety of the people of the region.
- 1.4.8.3 The region's industrial activities and urban areas are also an important resource, providing for the employment, housing, health, and education and recreation of people in the region.



1.5 The Maori Dimension

1.5.1 OVERVIEW OF RMA REQUIREMENTS

1.5.1.1 The RMA requires that the HBRC recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and when exercising functions and powers in relation to managing the use, development and protection of natural and physical resources that it:

- shall have particular regard to kaitiakitanga, and
- takes into account the principles of the Treaty of Waitangi.

1.5.1.2 The RMA includes the following requirements:

“...Promote the sustainable management of natural and physical resources” where ‘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 [including Maori] to provide for their social, economic, and cultural wellbeing and for their health and safety...” (Section 5);

*“...Provide for the following matters of natural importance: ...
.....the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.” (Section 6 (e))*

“...All persons exercising functions and powers under [the Act] shall have particular regard to....Kaitiakitanga.” (Section 7(a))

“... All persons exercising functions and powers under [the Act] shall take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi).” (Section 8)

*“... When preparing or changing a regional policy statement, the Regional Council shall have regard to:
(a) (ii) any relevant planning document recognised by an iwi authority affected by the regional policy statement; and
[any]...
.....regulations relating to the conservation or management of taiapure or fisheries.” (Section 61 (2) (a) (ii) and (iii))*

*“A regional policy statement shall state - ...
matters of resource management significance to iwi authorities.” (Section 62 (1) (b))*

1.5.1.3 The Regional Policy Statement therefore must identify issues of significance to Maori to ensure that they are treated in accordance with the above provisions in achieving integrated management of the natural and physical resources of Hawke's Bay.

1.5.1.4 This section contains a number of key Maori terms and concepts, the meaning of which may vary between hapu and iwi within the region and may not be easily expressed in the English language. However, in order to promote a fuller appreciation of the contents of this section, the English meaning of key Maori terms and concepts is included in the glossary to this Plan.

1.5.2 HBRC AND IWI RESOURCE MANAGEMENT VALUES

1.5.2.1 The preparation of this Regional Resource Management Plan has provided the HBRC with the opportunity to re-examine its own values for the Hawke's Bay community in order to find some common ground and balance with Tikanga Maori values (for Ngati Kahungunu), which not only accord with the spirit of the Treaty of Waitangi but also give a uniquely New Zealand approach to environmental management. The “statement of values and principles” below describes the approach to resource management in Hawke's Bay, comparing the overall philosophy and principles of the HBRC and of Tangata Whenua of the region.

STATEMENT OF VALUES AND PRINCIPLES	
Hawke's Bay Regional Council Principles Of Resource Management	Tikanga Maori Values within Ngati Kahungunu
<p>Concept of Sustainable Management The HBRC strives to manage the natural and physical environment in a sustainable manner, thus preserving its potential to meet the needs of future generations.</p>	<p>Wairuatanga means spirituality based on the notion that natural and physical resources are "taonga tuku iho" (God Given Gifts), the sustainable use of which must encompass all of the elements of "kaitiakitanga" (sustainable stewardship) while recognising the heritage of future generations.</p>
<p>Responsible Management In the exercise of its statutory management responsibilities, the HBRC seeks to minimise regulation. It aims to be fiscally responsible and accountable. Professionalism and recognition of the value of scientific knowledge and understanding will underpin this responsibility.</p>	<p>Rangatiratanga is the right and responsibility for the exercise of kaitiakitanga for the benefit of present and future generations. Within the framework of the Treaty of Waitangi it provides for a partnership with HBRC.</p>
<p>Close Relationships It is important to the HBRC to have enduring healthy relationships with other organisations and agencies with which the Council shares responsibility for the environment.</p>	<p>Whanaungatanga means relationships, based on spiritual origins, and expanded to include both the nature of "taonga tuku iho" and the diversity of people's interests that impact on sustainable use.</p>
<p>Community Participation The HBRC respects people and their needs, and recognises the need for community participation during the development and implementation of this Plan. The Council can be most effective when it has a shared vision and responsibility with the people of Hawke's Bay.</p>	<p>Kotahitanga is the unanimity, accord or consensus reached through the process of consultation for the betterment of the community.</p>
<p>Integrity Business activity in Hawke's Bay and its contribution to the development and prosperity of the region is recognised and encouraged where it is environmentally sustainable.</p>	<p>Manaakitanga is the voluntary rangitiratanga gesture of benevolence toward people in both the formal and informal sense.</p>

- 1.5.2.2 The concepts of Tikanga Maori used are those adopted by the Runanga O Ngati Kahungunu Executive Board in the mid 1990s and are not binding on other iwi within Hawke's Bay.
- 1.5.2.3 Much of what is contained in section 1.6 following reflects these sets of values and principles.

1.6 Iwi Environmental Management Principles

1.6.1 IWI CONCEPTS OF RESOURCE MANAGEMENT

1.6.1.1 Seven consultative hui were held in 1998 to update tangata whenua issues contained in Chapter 5 of the Regional Policy Statement (operative 7 October 1995). The set of issues below has been developed from iwi plans and from the consultative hui, and grouped according to the tikanga value most appropriately affected (see section 1.6.2).

1.6.1.2 WAIRUATANGA

- (a) The need to protect the Mauri, the life sustaining force of natural and physical resources, including waterways and water bodies
- (b) Protection of waahi tapu
- (c) The need for resource managers to take account of Maori spiritual values such as concepts of mauri, tapu, mana, wehi and ihi.

1.6.1.3 A paramount consideration for tangata whenua is the way in which the value concept of 'wairuatanga' (spirituality) can be incorporated into the management ethos of Council as to enhance the sustainable management process.

1.6.1.4 Wairuatanga is not only the foundation for Maori values but also the bond that ties together the other value concepts of rangatiratanga, whanaungatanga, kotahitanga and manaakitanga.

1.6.1.5 RANGATIRATANGA

- (a) Provide clear lines of accountability in this Plan to provide links between policies, objectives and methods.
- (b) Recognition of the guarantees of "tino rangatiratanga" and its relationship with 'kawanatanga' in resource management planning and decision making; call for a wider application of the Treaty partnership principle.
- (c) Recognition of the right to exercise kaitiakitanga through whanau, hapu and iwi.
- (d) Active participation of tangata whenua in policy and decision-making processes of councils.
- (e) Recognition of and provision for traditional and contemporary Maori knowledge in the sustainable management of the region's natural and physical resources.
- (f) Protection of flora used for rongoaa (medicinal) and other cultural purposes from absorption of contaminated water, caused by the application of pesticides and/or chemical sprays.
- (g) Protection of aquatic ecosystems, flora, fauna and fisheries habitat.
- (h) Maintenance of water quality standards in keeping with kaitiakitanga principles: the preservation of mauri and the conservation of species.

1.6.1.6 Rangatiratanga devolves from whakapapa in the first instance and continues to be addressed through the Treaty of Waitangi and thence to the Resource Management Act. This results in the kaitiakitanga that Maori practise through their mana whenua and mana moana over the natural and physical resources of land, air and water.

- 1.6.1.7 The partnership base of the Treaty of Waitangi establishes the relationship between Maori and the Crown. Rangatiratanga was guaranteed to tangata whenua through this partnership, in terms of the continued access to their taonga and tribal self regulation. The Crown's role has been passed on in specific matters through the RMA to local and territorial authorities, these are addressed through plans and policy statements. The individual roles of tangata whenua and the Council, and their partnership towards achieving sustainable management of the environment, are recognised within these documents.
- 1.6.1.8 The environment and the community can benefit from incorporating the Maori resource management principle of guardianship, or kaitiakitanga, that adds to the sustainable management of natural and physical resources and without imposing unnecessary cost to prospective or current resource users or the development process.
- 1.6.1.9 **WHANAUNGATANGA**
- (a) The need to re-affirm the Maori social fabric of whanau/hapu/iwi and other models of Maori representation, statutory or otherwise, as a means to better consultation and on-going good relationships.
 - (b) Recognition of marae as the physical manifestation of tino rangatiratanga and the most appropriate place for consultation with Treaty partners and with councils.
 - (c) The need for the development of relationships between tangata whenua and councils that transcends statutory and Treaty obligations to find joint solutions for and joint inputs into enforcement and compliance procedures.
- 1.6.1.10 Whanaungatanga is the concept that embraces relationships based on both spiritual and physical origins of Maori. It embraces common interests between people usually evidenced through whakapapa. Whanaungatanga is also the concept that recognises the position and intertwined relationship of Maori in respect of the natural and physical world.
- 1.6.1.11 Recognition of the key linkages of whanau, hapu and iwi, along with other forms of Maori representation, gives a clearer understanding of the process for consultation on Maori issues. This is important to resource consent seekers, in terms of providing certainty in the preparation of resource consent applications, without necessarily adding to costs.
- 1.6.1.12 **KOTAHITANGA**
- (a) Recognition of and provision for traditional Maori knowledge in the sustainable management of the region's natural and physical resources.
 - (b) The need for tangata whenua and councils to act jointly to protect those characteristics of the natural and physical resources of special value to Maori, including waahi tapu, tauranga waka, mahinga kai, mahinga mataitai and taonga raranga.
 - (c) Recognition of the various models of Maori representation and their positive contribution arising out of their dual roles of kaitiaki in the sense of protection and that of a significant resource user.
- 1.6.1.13 Kotahitanga denotes unity. It is the concept upon which diplomacy and understanding is based and implies conciliation and bridge-building. It is a process through which communities can strike a balance of values and a means to mutual advantage.
- 1.6.1.14 The issues themselves assert that tangata whenua tikanga, cultural knowledge and practices should be incorporated into Council's management and planning for enhancement, not just for the benefit of Maori but also the community at large. Where tangata whenua join in partnership with Council on common issues the outcomes are more likely to be positive and of economic benefit.

1.6.1.15 **MANAAKITANGA**

- (a) Adequate resourcing of the iwi and constituent hapu to enable participation in all aspects of resource management in the region.
- (b) Councils seeking consultation with tangata whenua, irrespective of which model(s) of representation is/are involved, provide relevant information in an understandable form and timely fashion.
- (c) Tangata whenua and councils jointly promote an attitude of education as a preference to regulations for the achievement of sustainable resource management.

1.6.1.16 These are linked to, and are a consequence of, the four concepts listed above. In philosophical terms they represent the bestowal or grant of benefits through the exercise of rangatiratanga rights/responsibilities.

1.6.1.17 The resourcing within a management planning process provides an analogy for manaakitanga issues in that the first four concepts of issues herein define the philosophical considerations, culture, relationships and desired practices from which objectives and policies arise, whereas the budget is the cost to achieve those objectives.

1.6.2 **DISCUSSION**

1.6.2.1 This section, together with the more comprehensive Schedule I, provides a background to assist in understanding why the issues listed above are considered to be significant.

1.6.2.2 **THE MAORI MANAGEMENT SYSTEM**

1.6.2.3 This system involves three distinct states of tapu, rahui and noa. Those responsible for the exercise of the systems within a whanau/hapu were those leaders with the training (matauranga) and the prestige, power and authority (rangatiratanga) to set the norms for society. As applied to natural and physical resources these three states can be described as follows:

- (a) **The common state of noa** - Within the notion of sustainability and good conservation practices, resources were freely available for whanau/hapu/iwi.
- (b) **The restricted or temporary state of rahui** - Temporary bans were imposed where there were, or were likely to be, threats to the mauri and/or a particular species, or where a particular spiritual appeasement period was appropriate. An example of the latter case is a drowning in the proximity of a common fishing spot. A temporary ban or rahui would be declared to appease the spirits.
- (c) **The totally inaccessible state of tapu** - In respect to locations and resources where a state of tapu was imposed, there was a total and absolute ban, which lasted until uplifted by someone with the necessary mana, matauranga and rangatiratanga.

1.6.2.4 Whereas rahui clearly indicated a temporary state, tapu usually implied permanency. The parallels to systems of management within this Plan can be readily seen in terms of the categories of resource use which:

- (a) require no consent where there is the expectation that users will observe good conservation practices
- (b) are the subject of Council (rangatiratanga) imposed conditions/rules
- (c) are prohibited activities.

1.6.2.5 **THE ROLE OF WATER**

1.6.2.6 The predominant view of Maori in Hawke's Bay is that water is the essential ingredient of life: a priceless treasure left by ancestors for the life-sustaining use by their descendants. These descendants are, in turn, charged with a stewardship duty, kaitiaki, to ensure that these treasures are passed on, to those following, in as good a state, or indeed better, than they were received. Water and associated resources confirm life to humanity and thereby form a basis for identification, belonging, and mana.

1.6.2.7 Water therefore acquires a wairua, consistent with how Maori perceived its quality and use. A form of classification system based on various states of water is used which embraces both the spiritual and the physical worlds as described in the terms waiora, waimaori, waikino, waimate and waitai. This classification system in turn leads to strict etiquette in the use of water, so that metaphysical pollution is considered to be a significant risk, as is the more understood physical pollution.

1.6.2.8 **MAORI RESOURCE OWNERSHIP**

1.6.2.9 Four of the seven consultative hui on this Plan were held in the Wairoa sub-region. This is because:

- (a) The sub-region is home to at least three iwi.
- (b) Approximately 58% of the population in Wairoa District is of Maori ethnicity.
- (c) Maori own some 50% of the land in the sub-region.
- (d) Within the whole of Ngati Kahungunu (from Mahia to Wairarapa) there are 70 marae – 28 of which are in Wairoa.
- (e) Socio-economically Maori in the Wairoa sub-region have the highest ratio per capita of state dependency, a factor that meaningful consultation needs to take into account.

1.6.2.10 Land in Maori ownership within the Wairoa area is concentrated mainly into about 17 trusts, or incorporations, engaged principally in drystock farming. HBRC's "Policy Development Framework" within this Plan provides for farm plans which will benefit this type of commonly owned Maori land. The expectation is that, when properly managed, many of these properties will add to the productivity, and hence the prosperity, of the community.

1.6.2.11 In that sense, the managers of the trust farms will need to show some leadership applying the bicultural values within this Plan, in their search for improved prosperity through sustainable resource management.

1.6.2.12 Whether Maori are themselves resource owner/managers or merely resource users, the ethics involving true kaitiakitanga require them to be just as vigilant in following tikanga guidelines for resource conservation.

1.6.2.13 Those things aside, tangata whenua believe that their concepts add a meaningful dimension to sustainable environmental health and management and this is expressed through an active involvement in the protection of natural and physical resources of the region.