

*Ngā panonitanga ki te
whakahaeretanga o te wai
māori i Te Moana a Toi*

Changes to Freshwater Management in the Bay of Plenty

There are changes that the Bay of Plenty Regional Council must make to the way we manage the region's land and water to ensure the health and wellbeing of our freshwater.

This booklet covers what we are doing, what is to come and how you can be involved. Keep an eye out for more information and have your say about the draft changes.

We acknowledge there is already a lot of change afoot due to new national regulations, and this is yet more. Farming and growing, municipal water supplies and industry have significant roles in creating a healthy environment, strong economy and vibrant communities in our region. Where change is needed, we encourage your involvement so that we can work through and identify pragmatic solutions.

Me mahi tahi tātou mō te oranga tonutanga o te wai māori

We need to work together for the future of freshwater





Ko te wai te oranga o ngā mea katoa

Water is the life-giver and essence of all things

Ngā tohu

This design represents the multiple waterways and waterbodies such as streams, rivers, lakes, and sea. The overall flowing form represents a river/tributary carving its way through the whenua. The koru has been included to represent the life force that water embodies and gives. Haehae represent whakapapa, including the past, present and future. It is a visual celebration of water as a life-giver and the essence of all things.

Te Wairere represents a waterfall with huka (foam) the dynamic movement of the water and the connections between different tributaries as they flow from the land to the sea, mai i te whenua, ki te moana.

Te Mana o te Wai - Tirohanga whānui

Essential Freshwater - Overview

In 2020, the New Zealand Government released the National Policy Statement for Freshwater Management (NPSFM) which outlines the direction all regional councils must take in the management of freshwater. As a result, the Bay of Plenty Regional Council now needs to change its Regional Policy Statement (RPS) and Regional Natural Resources Plan (Regional Plan). This means changing some of the policies and rules we use to manage how freshwater and land is used.

Between April 2023 and September 2023 we will ask you about your aspirations for your local waterways and your feedback on our draft change options. Your elected regional councillors will then consider and decide on options.

By the end of 2024 we will notify formal proposed changes to policies and rules. Everybody will be able to make submissions and be heard by a freshwater hearings panel.



Te hui ki te tangata whenua

Engaging with tangata whenua

Regional councils must actively involve Māori in freshwater management, to the extent they wish to be involved. This extends beyond the preparation of a plan change and includes maintaining relationships and encouraging the active participation by tangata whenua in the management of freshwater.

There is an expectation that tangata whenua will be actively involved in the development of proposed changes to the RPS and Regional Plan, as well as identifying important values and how mātauranga can be incorporated. Longer term, there is an expectation of greater tangata whenua involvement in plan decision-making processes.





Te Mana o te Wai

Te Mana o te Wai, the mana of the water, is an important part of the NPSFM requirements and refers to the fundamental importance of healthy water.

By protecting the health of freshwater, the health and well-being of the wider environment is also protected.

There is now a hierarchy of obligations that apply when we manage land and freshwater, prioritising the health and wellbeing of the water bodies and freshwater ecosystems first. The second priority is the health needs of people, for example, drinking water. The third obligation is the ability for people and communities to provide for their social, economic, and cultural wellbeing, now and in the future. This requires a big change in the way many people think about freshwater use and management.

Obligations like this will drive how we set objectives, water quality targets and limits on resource use. In turn, these will inform the rules we propose, and the sorts of water-affecting activities we can allow.

The six key principles of Te Mana o te Wai in the NPSFM inform freshwater management

- **Mana whakahaere:** the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater.
- **Kaitiakitanga:** the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations.
- **Manaakitanga:** the process by which tangata whenua show respect, generosity, and care for freshwater and for others.
- **Governance:** the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future.
- **Stewardship:** the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.
- **Care and respect:** the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

Freshwater Values

The NPSFM puts how we value water at the front of management decisions and subject to Te Mana o te Wai. The values that we must provide for include:

- **Ecosystem health** – includes water quality, water levels and flows, habitats of plants and animals, aquatic life, and the ecological interactions between the aquatic life and the environment they live in.
- **Human contact** – the connection of people with the water for recreation and mahinga kai.
- **Threatened species** – nationally critical, endangered or vulnerable species that rely on freshwater bodies for at least part of their life.
- **Mahinga kai** – freshwater species traditionally used by Māori for food or other resources, the places they are found, and the act/practices of harvesting them.

Other values that are important must also be identified and considered, including Māori freshwater values, recreational values, irrigation and commercial use values, municipal supply and so on. Values matter because they guide what we are trying to achieve or protect. Understanding values also help to resolve conflict. For example, someone may want to take water to irrigate a crop, but downstream a special habitat depends on that water for its survival. The Te Mana o te Wai hierarchy of obligations signals the take may need to be constrained unless a solution to mitigate the harm to the habitat downstream is found.

National Objectives Framework (NOF)

The NPSFM includes a National Objectives Framework council must deliver to ensure we provide for important values. It includes:

- Identify Freshwater Management Units (FMU)
- Develop a long term vision for freshwater in each FMU
- Identify freshwater values in each FMU
- Set environmental outcomes for each value
- Identify measurable attributes for each value and environmental flows
- Set water quality and ecosystem health targets to maintain or improve water quality – some National Bottom Lines are set
- Set water quantity limits – total water take limits and minimum flow requirements (stop take limits)
- Identify limits on resources use (like land and water use rules) and other methods to achieve the targets and limits.

The freshwater values communities have, and the outcomes we seek will inform the water quality targets we aim for across time.



Te tirohanga whānui o ngā kōwhiringa panonitanga tauira

Overview of the draft change options

Rivers, lakes, streams, groundwater and wetlands are all present in the Bay of Plenty. People value and use these freshwater bodies in many ways, from gathering kai, swimming, fishing and boating, to cultural connection and experiencing nature. People's livelihoods also depend on freshwater to sustain crops and their businesses. The water in rivers and streams sustains important ecosystems and supports a rich tapestry of life.

Bay of Plenty Regional Council is preparing changes to the objectives, policies and rules in the Regional Policy Statement and Regional Plan that we use to control how freshwater is used. The NPSFM requires a lot of changes to our Regional Plan and our engagement will focus on the key changes.

Kei te aha mātou? What are we doing?

- We are making changes to the sections of the Regional Policy Statement and the Regional Plan to do with freshwater. In particular, we are:
 - Addressing quality of water in lakes, rivers and streams, and how we manage activities on land and water to maintain or improve water quality.
 - Addressing water flows and levels in rivers, lakes and groundwater, how much water can be taken for different uses, and when water use might need to be constrained or stop.
 - Addressing fish passage, wetlands and activities in the beds of waterbodies to avoid loss of extent and values of rivers and wetlands.
- Making changes to the Regional Plan to align with new national regulations and planning standards.

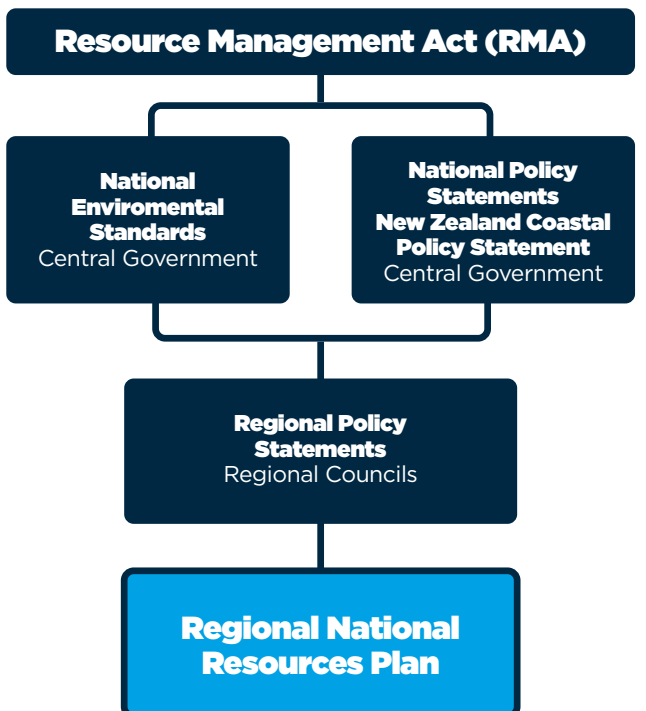
Bay of Plenty Regional Council must implement national freshwater related regulations and cannot change them. We will make sure our Regional Plan aligns with them and, in some cases, we can set more stringent rules. Relevant regulations include:

- National Environmental Standards for Freshwater
- Stock Exclusion regulations
- Pending Freshwater Farm Plan regulations
- Drinking water supply standards and regulations
- National Environmental Standards for Plantation Forestry
- Measurement and Reporting of Water Takes Regulations

Ko te aha mātou e kore nei e mahi ana? What are we not doing?

Other changes that you might be aware of are the 3 Waters Reform and Resource Management Act (RMA) reform.

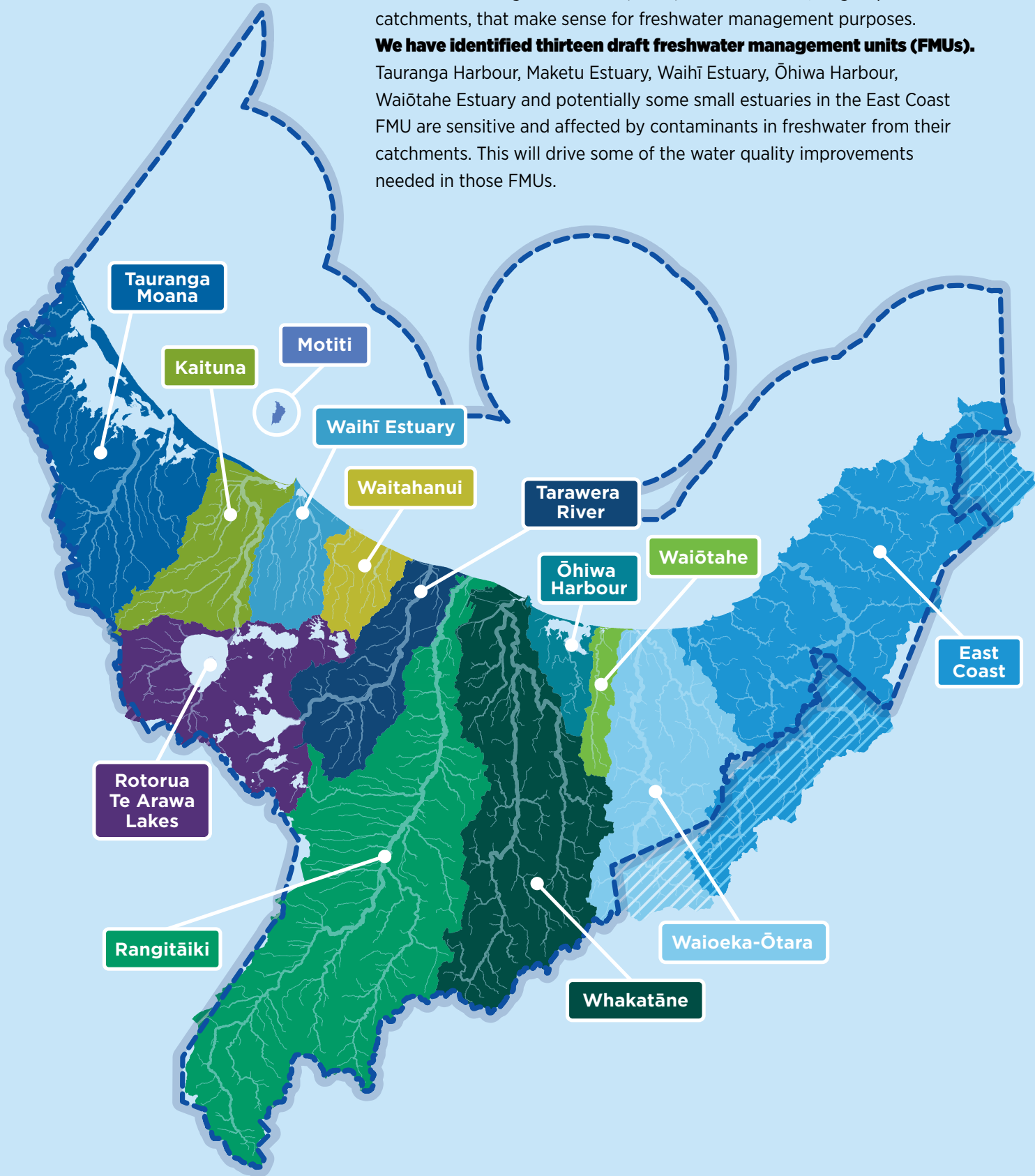
Bay of Plenty Regional Council does not deliver 3 Waters services, which are: drinking water, stormwater and wastewater. 3 Waters is the responsibility of Tauranga City, Western Bay of Plenty, Whakatāne, Kawerau, Ōpōtiki, Rotorua and Taupō District Councils.



Ngā tauira o ngā rōpū whakahaere o te wai māori

Draft Freshwater Management Units

Freshwater Management Units (FMUs) are catchments, or groups of catchments, that make sense for freshwater management purposes. **We have identified thirteen draft freshwater management units (FMUs).** Tauranga Harbour, Maketu Estuary, Waihi Estuary, Ōhiwa Harbour, Waiōtahe Estuary and potentially some small estuaries in the East Coast FMU are sensitive and affected by contaminants in freshwater from their catchments. This will drive some of the water quality improvements needed in those FMUs.



FMU summary documents

We are preparing 13 booklets about the issues and management options in each of these FMUs for your feedback.

Each FMU must have:

- 1. A long-term vision for freshwater (this will be included as an objective in the RPS)
- 2. Outcomes for key freshwater values;
- 3. Measurable (where possible) water quality, ecosystem health and other targets;
- 4. Water take limits and minimum flows/levels; and
- 5. Regionwide and/or FMU specific rules and other methods to achieve the outcomes and targets.

The FMU summary documents will outline these.

The scale of change

The Draft FMUs are all different. Some have more complex environmental issues than others and will need bigger changes than others. For example, an FMU with a degraded, sensitive and highly valued estuary affected by contaminants from land use (e.g., nitrogen, phosphorus, sediment or E.coli) can expect more significant change than one without an estuary and with rivers in a good state.

The table below is an indication of the scale of change that may be needed for water quality. For water quantity, the change may relate to either current allocation or current limits.

Greater detail will be provided in the FMU booklets. Management options and timeframes to achieve them will be outlined for feedback.

FMU	WATER QUALITY*	GROUND WATER QUANTITY	SURFACE WATER QUANTITY
East Coast	Small	Moderate	Moderate
Kaituna	High	Small	Small
Motiti	Small	Moderate	Small
Ōhiwa Harbour	High	Small	Small
Rangitāiki	Small	Small	High
Rotorua Te Arawa Lakes	High	Small	Small
Tarawera	Moderate	Small	Small
Tauranga Moana	High	Moderate	Moderate
Waihi Estuary	High	Small	Moderate
Waioeka-Ōtara	Small	Small	Small
Waiōtahe	High	Small	Small
Waitahanui	Small	Small	Moderate
Whakatāne	Small	Small	Small

*For at least one key contaminant

KEY: Indicative scale of change needed to improve water quality, or likely water quantity constraint.

Small

Moderate

High



[View the Freshwater Quality Monitoring snapshot report here](#)

Te tirohanga whānui o ngā panonitanga tauira - i ia wāhanga, i ia wāhanga

Overview of draft changes – Chapter by Chapter

The following describe the kinds of draft changes for the region wide chapters of the Regional Plan. More detail on these changes will be available from April – September 2023.

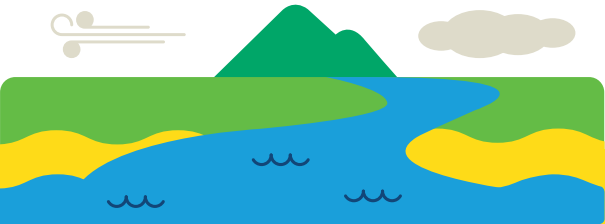


Regional Policy Statement

We must add a Te Mana o te Wai objective and the long term vision for freshwater for each draft FMU into the RPS, where they can influence not only the Regional Plan, but District Plans too.

The current Water Quality and Land Use Chapter, and the Water Quantity Chapter will be amended and will be included in one new Land and Freshwater chapter. The chapter may include:

- Provisions that need to be given effect to by District Councils (because an RPS can direct their District Plans). For example, if we know an issue is caused by inappropriate land use, we may direct that be managed via District Plans.
- Policy direction on regionally significant freshwater issues.



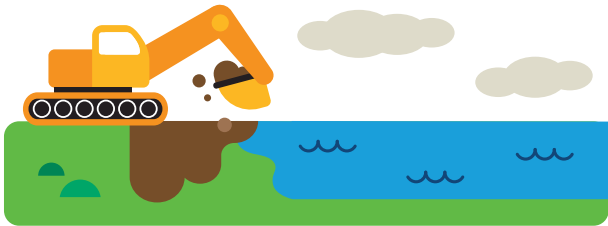
Integrated Management of Land and Water

Integrated Management is about making sure activities in one place do not adversely affect somewhere else. The Integrated Management chapter and the Kaitiakitanga chapter are closely linked, and together they guide all activities controlled by the Regional Plan.

Draft policy topics will include:

- Te Mana o Te Wai
- Promoting integrated management Ki uta ki tai, (from mountain to sea)
- Applying the precautionary approach (e.g: exercising constraint on activities where

- information is uncertain and risks to the environment are potentially high)
 - Integrating cross boundary management between regions
 - Improving biodiversity
 - The role of tangata whenua (in resource management)
- Recognising beneficial use and development and early adopters of good practice.



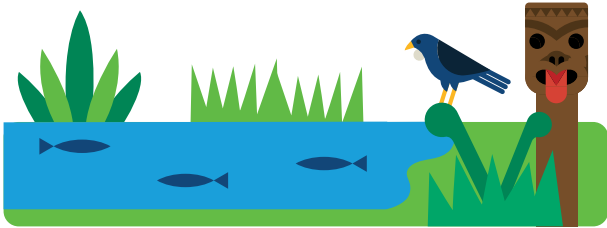
Beds of Water Bodies

The Beds of Water Bodies chapter relates to activities that occur in rivers, streams, and lakes, that could disturb the bottom. These activities include gravel extraction, channel maintenance for flood protection, the removal or introduction of plants, and drainage, and can cause loss of natural wetland and rivers from source to sea.

Some activities and structures in the beds of water bodies will require greater restrictions to ensure the wellbeing of water and habitat. National policy requires no loss of extent or values of rivers, except in some specific situations. In cases where adverse effects cannot be avoided, we need to consider how to restore the environment. An effects management hierarchy must be applied – avoid, mitigate, and offset. This means we are likely to require resource consent applicants to demonstrate that they have first sought to avoid and minimise effects of fish passage, and if not, they provide offset mitigation or compensation.

As one example, flood protection along our region’s rivers are essential to protecting our communities, however, the Te Mana o te Wai obligations hierarchy means we must consider how this effects the environment first. Therefore, we may require more comprehensive assessments of these activities to consider and address impacts.

Within the Beds of Water Bodies, we will also be including standards for fish passage.



Water Quantity and Allocation

The Water Quantity and Allocation chapter of the plan is about managing the taking of water from rivers, streams and groundwater for various uses, while ensuring ecosystem health and cultural values are provided for.

We are preparing new draft minimum flows and water take limits on a catchment-by-catchment basis, which will be explained in FMU booklets. Where a catchment is overallocated, policy will direct how this will be phased out over time. In some cases the new limits may be less restrictive than the current ones because we have newer information on what minimum flows ecosystem health may need, but some are more stringent too. We also have drafted measures to improve the efficiency of water allocation and use, so that water is not wasted, nor unnecessarily tied up by consent holders who do not use it. New provisions to ensure that dams allow fish passage and important stream functioning, and a strong preference for any future dams to be ‘off line’ support the importance of ecosystem health. A draft option is for all permitted takes to record their water take data to improve the quality of information available for water management purposes. We are also suggesting the amount of groundwater able to be taken without a resource consent be decreased from 35m3/property/day to 15m3, consistent with the surface water limit.



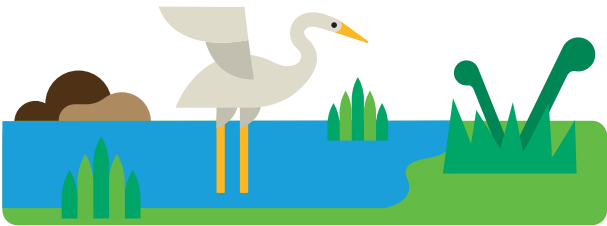
Discharges to Water and Land Chapter & OSET

The Discharges to Water and Land chapter covers contaminant discharges to land and water. This chapter includes on-site effluent treatment (OSET) which is currently in a separate regional plan.

A key part of this chapter is setting policy for discharges to ensure they are tracking to reach Target Attribute States (TAS) set in FMU chapters.

Other draft change options for this chapter include simplifying and extending urban stormwater objectives and aligning this part of the plan with the good practice we have learnt from other regional plans.

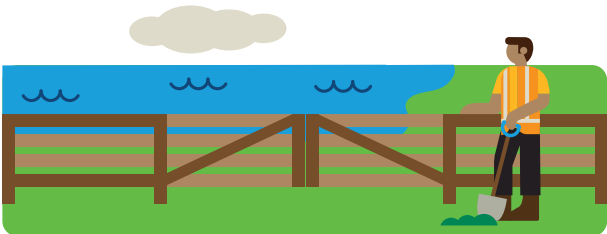
Among the many proposed technical changes are clarifying the reasonable mixing zone methodology, clarifying stormwater network discharge provisions, strengthening the protection of human drinking water supply, adding clearer wastewater network discharges provisions, and amending rules to align with the National Environmental Standards for Freshwater.



Wetlands

Wetlands are important natural environments. National policy directs much stronger protection of the remaining wetlands extents and values (as so much has been drained/ lost from New Zealand including the Bay of Plenty). Wetland provisions currently have their own chapter, activities addressed by other chapters also may affect wetlands. For example, groundwater must be managed to protect wetlands.

Many of our current wetlands provisions have been superseded by national regulations so we need to remove a lot of material from the RNRP, and instead rely on these national provisions.



Land Management

The Land Management chapter applies to activities that can occur on land and how these are managed to ensure they do not cause environmental harm. In our region, many water quality issues are largely or partly caused by land use in catchments, and so there are likely to be new controls on land use. The FMU booklets will cover some of this.

Ngā mea e whai ake nei

Next steps

We are continuing work on draft policy options and will seek feedback from the community between April and September 2023.

Feedback can be provided via our online platform, in person at community meetings, or in writing via post.

You can sign up to receive our Freshwater Flash e-newsletter at boprc.govt.nz/newsletters follow our social media or visit our website for regular updates.

boprc.govt.nz/freshwater

