

**Tasman Regional Policy Statement
Efficiency and Effectiveness Evaluation**

**TRPS Efficiency and Effectiveness Review –
Stage 2
Significant Resource Management Issues**

FINAL Report

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Acronyms

Table 1: Acronyms used in this report

DOC	Department of Conservation
NES	National Environmental Standards
NES-AQ	National Environment Standards for Air Quality
NES-CS	National Environment Standards for Contaminated Sites
NES-FM	National Environmental Standards for Freshwater
NES-PF	National Environmental Standards for Plantation Forestry
NPS	National Policy Statement
NPS-ET	National Policy Statement for Electricity Transmission
NPS-FM	National Policy Statement for Freshwater Management
NPS-HPL	Proposed National Policy Statement for High Productive Land
NPS-IB	Draft National Policy Statement for Indigenous Biodiversity
NPS-REG	National Policy Statement for Renewable Electricity Generation
NPS-UDC	National Policy Statement for Urban Development Capacity
NPStds	National Planning Standards
NZCPS	New Zealand Coastal Policy Statement
RMA	Resource Management Act
TDC	Tasman District Council
TEP	Tasman Environment Plan
TRMP	Tasman Resource Management Plan
TRPS	Tasman Regional Policy Statement
WCO	Water Conservation Order

Contents

1. Executive Summary	1
2. Recommendations	4
3. Review of the Tasman Regional Policy Statement	12
3.1 Purpose of the TRPS Review	12
3.2 Stages in the TRPS Review	12
4. Methodology	14
4.1 Determining the Significant Issues for Tasman District	14
4.1.1 What is meant by ‘significant’?.....	14
4.1.2 How to determine whether an issue is significant.....	16
4.1.3 Assessment Criteria	18
5. Assessment of Current TRPS Issues	22
5.1 Iwi Matters.....	22
5.2 High Productive Land and Land Fragmentation	25
5.3 Cross Boundary Effects	27
5.4 Urban Design and Development	30
5.5 Biodiversity.....	31
5.6 Soil Damage or Loss	33
5.7 Pest Management	36
5.8 Riparian Land Management	40
5.9 Minerals	42
5.10 Water Allocation and Availability.....	44
5.11 Freshwater Bodies.....	46
5.12 Gravel Extraction from Rivers	48
5.13 Navigation Safety	50
5.14 Coastal Environment	52
5.15 Aquaculture and Fisheries.....	54
5.16 Coastal Natural Character	55
5.17 Public Access	57
5.18 Contaminant Discharges	59
5.19 Waste Management.....	62
5.20 Natural Hazard Management.....	64
5.21 Hazardous Substances	66
5.22 Energy	70

5.23	Transportation	72
5.24	Historical and Cultural Values	74
5.25	Natural Features and Landscapes	77
6.	Assessment of Proposed New TRPS Issues.....	79
6.1	Climate Change	79
6.2	Urban Growth and Infrastructure	83
6.3	Community Wellbeing.....	86
Appendix 1: Current TRPS Issues Grouped by Resource Management Topic		88
Appendix 2: RMA Section 6 and 7 Matters		90
Appendix 3: Use of ‘Significant’ or ‘Significance’ in Key RMA Provisions		91
Appendix 4: Comparison of Criteria for Assessing Significance in Selected Regional Policy Statements.....		92
Appendix 5: Similarity between Criteria in the RMA and/or Used by Other Regional Councils and the Criteria Used for the TRPS.....		93
Appendix 6: Guidance for Applying the TRPS Significance Criteria		94

1. Executive Summary

This is the third report prepared as part of a review of the Tasman Regional Policy Statement (TRPS). The report's focus is on the significant resource management issues identified in the TRPS and the extent to which they remain relevant 20 years after the TRPS was made operative in 2001.

Under the Resource Management Act (RMA), the purpose of the TRPS is to provide an overview of the key resource management issues within Tasman District, as well as a policy framework to achieve integrated management of the District's natural and physical resources. This report will assist Council in determining the significant resource management issues to be included in the Tasman Environment Plan (TEP).

In order to determine the regional significance of TRPS issues, the following definition of 'significance' has been adopted:

For an issue to be significant it must be relevant to the sustainable management of Te Tal o Aorere (Tasman's) natural and built resources, and be of sufficient regional importance to be prioritised in the Tasman Environment Plan, in order to achieve key environmental outcomes and to avoid unacceptable environmental impacts.

Additionally, five criteria have been selected to assess the significance of current and new TRPS issues.¹ The criteria have been informed by relevant provisions in the RMA and criteria used by other regional councils. A draft set of criteria were tested and refined by TDC's policy team before being used to assess the current TRPS issues. The assessments have been undertaken by the relevant portfolio holders and the report's lead author. The assessments were carried out both individually and in a workshop to allow for discussion about the relative significance of each issue, and to ensure the criteria are being applied consistently.

A simple scoring system has been used, by assigning either a 1, 2 or 3 to each criterion, which represents a low, medium or high significance, risk or effect. Where a criterion was not relevant it has been assigned a score of NA (not applicable). Issues that scored a total of 12 or more across the five criteria are considered to be of sufficient significance to be retained in the TEP, whereas issues that scored 11 or below need further review or removal.

Sixty five current TRPS issues, grouped under 26 resource management topics, were assessed against the criteria (see Appendix 1).² Table 2 shows the outcome of the assessments for the current TRPS issues. Issues relating to 19 of the resource management topics have been assessed as retaining their significance (i.e. they received an overall score of 12 or higher). These include biodiversity, water allocation and availability, management of the coastal environment, and natural hazards to name a few.

Issues relating to six resource management topics have not met the threshold of 12, indicating they do not meet the requirements for a regionally significant issue. These include gravel extraction from rivers, navigation safety, hazardous substances, minerals, aquaculture and fisheries, and resource management processes. It is important to note that even though these current issues may no longer be considered regionally significant, they are likely to remain matters to be addressed in the regional

1 Three other criteria have also been applied, but these do not form part of the overall assessment of significance as discussed in the report's Methodology section.

2 Of these 65 issues, 8 are resource management process issues. One of the process issues refers to cross boundary issues, which includes a further 12 sub-related issues. Each of these sub-related issues is not included in overall total of 65.

and district parts of the TEP and/or be integrated into other significant resource management issues. This is made clearer in the *Recommendations* section that follows.

In addition to the current TRPS issues, three new issues were assessed as significant resource management issues. They are: climate change, urban growth and infrastructure, and community wellbeing. Table 3 below shows the outcome of the assessments for these issues.

The full assessments for both current and new issues are set out in Sections 5 and 6 of the report.

Table 2: Overall Assessment Scores for CURRENT TRPS Issues

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)
<i>Iwi Matters</i>	3	3	3	3	3	15
<i>Urban Design & Development</i>	3	3	3	3	3	15
<i>Biodiversity</i>	3	3	3	3	3	15
<i>High Productive Land and Land Fragmentation</i>	3	3	3	3	3	15
<i>Soil Damage or Loss</i>	3	3	3	3	3	15
<i>Riparian Land Management</i>	3	3	3	3	3	15
<i>Water Allocation/Availability</i>	3	3	3	3	3	15
<i>Freshwater Bodies</i>	3	3	3	3	3	15
<i>Coastal Environment</i>	3	3	3	3	3	15
<i>Contaminant Discharges</i>	3	3	3	3	3	15
<i>Natural Hazard Management</i>	3	3	3	3	3	15
<i>Cross Boundary Effects</i>	3	2-3	2-3	3	3	13-15
<i>Pest Management</i>	3	3	2-3	3	2-3	13-15
<i>Energy</i>	2-3	3	2	3	3	13-14
<i>Waste Management</i>	3	1	3	3	3	13
<i>Natural Features and Landscapes</i>	3	3	2	2	2-3	12-13
<i>Transportation</i>	2	2	3	3	2-3	12-13
<i>Coastal Natural Character</i>	1-3	3	2-3	2-3	1-3	9-13
<i>Historic and Cultural Values</i>	3	3	2	2	2	12
<i>Public Access to and along the Coast</i>	2-3	2	2	1-3	2-3	11-12
<i>Gravel Extraction from Rivers</i>	1	3	3	2	2	11
<i>Navigation Safety</i>	2	2-3	1-2	2-3	1-2	9-11
<i>Hazardous Substances</i>	2	3	1	2	2	10

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)
<i>Minerals</i>	1	1	1	2-3	1	6-7
<i>Aquaculture and Fisheries</i>	NA	NA	NA	NA	NA	NA
<i>Resource Management Process</i>	NA	NA	NA	NA	NA	NA

Table 3: Overall Assessment Scores for PROPOSED NEW resource management Issues

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)
<i>Climate Change</i>	3	3	3	3	3	15
<i>Urban Growth and Infrastructure</i>	3	3	3	3	3	15
<i>Community Wellbeing</i>	3	3	3	3	3	15

2. Recommendations

The overall recommendations based on the assessment of current and new issues are summarised in Tables 4 and 5 below. The full recommendations are set out in Section 5 ‘Assessment of Current TRPS Issues’ (p.25) and Section 6 ‘Assessment of Proposed New TRPS Issues’ (p.83).

The recommendations are categorised into:

- **Retain (with updates):** where the intent of the issue should be retained, but updated to reflect current context, language and scope.
- **Review:** where further review of the issue’s relevance is required.
- **Remove:** where the issue is no longer considered regionally significant.

Common factors that have influenced the recommendations include:

- Changes in the RMA and other legislation since the TRPS was made operative, which may have increased or decreased the significance of an issue, e.g. provisions addressing aquaculture management, hazardous substances, navigation safety and climate change.
- The need to give effect to national policy statements (NPS) and National Environmental Standards (NES), such as the NPS for freshwater management, the NZ Coastal Policy Statement and the NPS on Urban Development Capacity.
- Efficiencies gained by consolidating issues where they overlap within the same resource management topic, or with issues in a different (but related) topic, e.g. issues relating to protection of high productive land and avoidance of ‘soil damage or loss’.
- The findings of the section 35 evaluation reports for the Tasman Resource Management Plan (TRMP).

In addition to the general recommendation to include climate change as a new regionally significant issue in the TRPS, the issue assessments set out in Section 5 include specific climate change recommendations for many of the resource management topics in the table below. For brevity they haven’t been included in the summary recommendations, suffice to say that climate change is an overarching issue that will exacerbate many of the regionally significant issues, and the TRPS will need to take an integrated approach to avoid or mitigate climate change impacts.

Table 4: Summary of Recommendations – CURRENT TRPS Issues

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
Iwi Matters 4.2 Developing Relationships between the Tangata Whenua & Council 4.3 Environmental Management Kaupapa	<i>All s6 matters are relevant</i> <i>Section 7(a), (f),</i>	NZCPS NPS-FM NPS-IB (Draft)	Review with tangata whenua the matters of significance to iwi entities to ensure they cover the full range of resource

3 See Appendix 2 for a list of RMA section 6 and 7 matters.

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
<p>& Tikanga</p> <p>4.4 Commercial Interests of Iwi</p>	(i)		<p>management issues in the Tasman District and give effect to national directives.</p>
<p>High Productive Land and Land Fragmentation</p> <p>5.1 Allocating the use of high quality lands adjacent to urban areas.</p> <p>6.1 Sustaining the high quality land resource.</p> <p>6.2 Management of the adverse effects of land fragmentation.</p>	Section 7(b), (c), (f), (g), (i)	NPS-HPL (Proposed)	<p>Retain (with updates): Retain the protection of high productive land as a significant issue in the RPS and consider consolidating the three current issues into one concise issue statement. Also consider consolidating with “Soil Damage or Loss” issue (see issue 6.6).</p> <p>Separate out the issue of loss of rural character from the issue of loss of productive values.</p>
<p>Cross Boundary Effects</p> <p>5.4 Cross-boundary conflicts between adjacent urban and rural areas.</p> <p>6.4 Management of the adverse effects of rural land use activities across property boundaries.</p>	Section 7(b), (c), (f), (g), (i)	NPS-UDC NPS-HPL (Proposed)	<p>Retain (with updates): As population increases and land uses intensify, careful management of these issues remains significant. These issues could be combined and amended to better reflect current context and scope.</p>
<p>Urban Design And Development</p> <p>5.7 Maintenance and enhancement of the quality of the urban environment</p>	Section 7(b), (c), (f), (i)	NPS-UDC	<p>Retain (with updates): Urban design and development as a significant issue now needs to refer to growth and affordability and more clearly address the maintenance of urban character.</p>
<p>Biodiversity</p> <p>6.3 Protection & enhancement of significant indigenous vegetation, plant & animal habitats, & natural & heritage features in the district⁴</p>	Section 6(a), (b), (c) Section 7(d), (f)	NPS-IB (Draft)	<p>Retain (with updates): Reframe in the context of Te Mana o te Wai, the NZ Biodiversity Strategy, and NPS-IB, and reflect linkage with other terrestrial, freshwater and riparian management issues.</p>
<p>Soil Damage or Loss</p> <p>6.6 Soil damage or loss and sedimentation arising from land use in farming, forestry,</p>	Section 6(a), (e), (g)	NPS-FM NZCPS NES-PF	<p>Retain (with updates): Consider consolidating the issue of soil damage and loss with the issue of protection of high productive</p>

4 Note: this assessment applies to natural values only; the assessment of historical and cultural heritage values is below.

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
<i>mineral extraction or construction activities</i>	<i>Section 7(d), (f), (h), (i)</i>	<i>NPS_HPL (Proposed)</i>	<i>land.</i>
Pest Management <i>6.7 Management of significant animal and plant pest problems</i>	<i>Section 6(a), (b), (c), (e)</i> <i>Section 7(f), (i)</i>	<i>NZCPS</i> <i>NPS-FM</i> <i>NPS-IB (Draft)</i>	Retain (with updates): <i>Retain pest management as a significant issue, but incorporate it under the issue of maintenance of biodiversity.</i>
Riparian Land Management <i>6.8 Riparian land management.</i>	<i>Section 6(a), (e)</i> <i>Section 7(i)</i>	<i>NPS-FM</i> <i>NPS-IB (Draft)</i>	Retain (with updates): <i>Retain this issue as a standalone issue, but reframe in the context of Te Mana o te Wai and reflect linkage with other freshwater and biodiversity management issues.</i>
Minerals <i>6.9 Accessibility of mineral resources.</i>	<i>Section 7(g)</i>	<i>None</i>	Review <i>the relevance of Issue 6.9 as a significant issue.</i>
Water Allocation & Availability <i>5.3 Water allocation for urban growth.</i> <i>7.1 Determining the allocation of available water.</i> <i>7.3 Significant reduction in surface water and groundwater availability can occur through the establishment of tall vegetation cover or the growing of crops requiring irrigation water.</i>	<i>Section 6(a), (e)</i>	<i>NPS-FM</i> <i>NPS-UDC</i> <i>NPS-REG</i> <i>NES-PF</i>	Retain (with updates): <i>Reframe all freshwater issues in the context of Te Mana o te Wai and add reference to default methods for determining allocation regimes.</i>
Freshwater Bodies <i>7.2 Protection of natural, recreational and cultural values of water bodies.</i> <i>8.2 Protection of riverine ecosystems and instream values.</i>	<i>Section 6(a), (e)</i> <i>Section 7(f)</i>	<i>NPS-FM</i> <i>NES-FM</i> <i>NZCPS</i> <i>NPS-REG</i>	Retain (with updates): <i>Reframe in the context of Te Mana o te Wai and in conjunction with the riparian land management and water allocation issues. Add consideration of enhancement and restoration of waterbodies, as well as protection. Add reference to public access to the margins of waterbodies.</i>
Gravel Extraction from Rivers <i>8.4 Gravel extraction from rivers [considered from a gravel resource perspective]</i>	<i>Section 6(a), (e), (h)</i> <i>Section 7 (f), (h), (i)</i>	<i>NPS-FM</i> <i>NES-FM</i>	Review: <i>Consider removing Issue 8.4 from the TRPS as gravel extraction does not appear to be a sufficiently significant regional issue to be identified on its own. Instead, consider addressing it</i>

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
			<i>under other relevant issues (e.g. freshwater, natural hazards, urban growth), and/or in the District/Regional sections of the TEP.</i>
<p>Navigation Safety</p> <p>8.3 Activities on the surface of waters of rivers and lakes. [considered from an amenity effects viewpoint]</p> <p>9.2 Issues concerning boats: navigation and safety and facilities.</p>	<p>Section 6(a)</p> <p>Section 7(c), (f), (i)</p>	<p>NZCPS</p> <p>NPS-FM</p>	<p>Review: Navigational safety has been adequately addressed through the navigational safety bylaw and legislation created since 1996 and should be removed as a significant issue.</p> <p>Refocus Issue 9.2 on the provision of strategic marine facility infrastructure to meet access and environmental requirements and other policy in the NZCPS.</p>
<p>Coastal Environment</p> <p>9.1 Lack of information on the coastal marine environment.</p> <p>9.3 Adverse effects of activities in the coastal marine area.</p> <p>9.7 Adverse effects of land-based activities on the coastal environment.</p>	<p>All s6 matters are relevant</p> <p>Section 7(i)</p>	<p>NZCPS</p> <p>NPS-FM</p>	<p>Retain (with updates): These issues need to be refocused to reflect the directives of the NZCPS, iwi management plans and DOC.</p> <p>While Issue 9.1 is still an issue in the management of the coast, it should be removed as it is not a significant resource issue as such.</p> <p>Include consideration of aquaculture and fisheries activities to replace Issue 9.5 (see below).</p>
<p>Aquaculture and Fisheries</p> <p>9.5 Legal constraints on the management of adverse effects of aquaculture and fisheries.</p>	<p>Section 6(a), (b) (c), (d) (e), (g)</p> <p>Section 7(c), (f)</p>	<p>NZCPS</p>	<p>Remove: Issue 9.5 is no longer relevant due to legislative changes and Environment Court decisions relating to aquaculture management in Tasman.</p> <p>Include relevant aquaculture and fisheries matters under the coastal environment issue above.</p>
<p>Coastal Natural Character</p> <p>5.5 Urban expansion in areas of natural coastal character.</p> <p>9.6 Identifying and maintaining the natural character of the coastal environment.</p>	<p>Section 6(a)</p>	<p>NZCPS</p>	<p>Retain (with updates): Reframe with respect to the NZCPS. Include the enhancement and restoration in addition to protection.</p> <p>Expand issue to include natural</p>

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
			<p>character of freshwater bodies (if this is not addressed under the Freshwater Bodies issue above). Merge Issue 5.5 with Issue 9.6.</p>
<p>Public Access 9.4 Private and public rights of access to coastal space. [coastal activities preventing public access or use of space] 9.9 Public interest in access to and along the coast. [providing for public access]</p>	<p>Section 6(d), (e)</p>	<p>NZCPS</p>	<p>Retain (with updates): Retain the issue of private and public rights of access to and along the coastal space, and consolidate the two issues into one concise issue statement. Expand issue to include public access to and along freshwater bodies, and consider linkages with sites having other values, e.g. natural, historic and cultural.</p>
<p>Contaminant Discharges 6.5 Management of the adverse effects of contaminants arising from land use activities, on water and soil quality. 7.4 Effects of contaminant discharges on water quality. 9.8 Maintenance and enhancement of coastal water quality. 10.1 Industrial, agricultural or urban effluent discharges to water and air. [Generally point source, e.g. stormwater, sewage, dairy shed / piggery effluent, industrial waste discharges, boiler emissions]. 10.2 Agricultural, forestry and other industrial discharges to land. [e.g. wood & fish processing waste, dairy shed / piggery effluent]. 10.3 Diffuse source discharges from land use activities to land, water and air. [e.g. agrichemicals, fertiliser, stock effluent, emissions from fires]. 10.4 Legacy of contaminated sites in urban and rural settings.</p>	<p>Section 6(a) Section 7(f), (i)</p>	<p>NPS-FM NZCPS NPS-UDC NES-AQ NES-CS</p>	<p>Retain (with updates): Retain contaminant discharges as a suite of significant issues. The issues should be separated into land, water, and air discharges, and consolidated and updated within each portfolio. Freshwater issues should be reframed in the context of Te Mana o te Wai and consider adding a reference to recognise that effects of contaminant discharges can be widely dispersed rather than localised.</p>
<p>Waste Management 10.5 The effects of generating and disposing of contaminant wastes. 10.6 Minimising the amount of waste</p>	<p>Section 6(a), (e), (g) Section 7(b),</p>	<p>NZCPS NPS-FM</p>	<p>Retain (with updates): Amend to reflect current context, language and scope.</p>

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
<i>generated.</i>	<i>(c), (d), (f), (i)</i>		
<p>Natural Hazard Management</p> <p>5.2 Managing natural hazard risks to urban growth.</p> <p>8.1 River channel management and flood mitigation.</p> <p>11.1 Avoidance or mitigation of flooding.</p> <p>11.2 Avoidance or mitigation of coastal erosion.</p> <p>11.3 Effects of sea level rise.</p> <p>11.4 Avoidance or mitigation of land instability and structural risks from slope or ground failures and earthquake shaking.</p> <p>11.5 Avoidance or mitigation of risks of fire.</p>	Section 6(a), (e), (h)	NZCPS NPS-FM NPS-UDC	<p>Retain (with updates): Consolidate the current suite of issues and amend to reflect the current context and emerging matters. This includes Issue 8.2 regarding flood management in rivers and their margins to be reframed in the context of Te Mana o te Wai.</p>
<p>Hazardous Substances</p> <p>11.6 Avoidance or mitigation of risks from hazardous substances storage, use, disposal situations.</p> <p>12.3 Risk of contamination from radioactive material.</p>	Section 6(a), (e) Section 7(d), (f)	NES-CS	<p>Remove: Management of hazardous substances is now largely administered under legislation other than the RMA. Consider covering hazardous substance matters that remain relevant to the RMA (notably their environmental effects) under the contaminant discharge issue (above) and/or in the District and Regional sections of the TEP.</p>
<p>Energy</p> <p>12.1 Environmental effects of energy resource development.</p> <p>12.2 Promotion of efficient energy uses.</p>	Section 7(b), (ba), (j)	NPS-REG NPS-ET NPS-FM NZCPS	<p>Retain (with updates): Issues 12.1 and 12.2 remain valid significant issues, but need updating to give effect to the national directives.</p>
<p>Transportation</p>	Section 7(b), (c), (f)	NPS-UDC	<p>Retain (with updates): Recognise that road transport trends are currently likely to be unsustainable, and that different transport solutions must be incentivised.</p>
<p>Historic and Cultural Values</p> <p>4.1 An ongoing relationship between tangata whenua iwi and Council and giving effect to the interests of tangata whenua</p>	Section 6(e), (f), (h)	NPS-UDC NZCPS NPS-FM	<p>Retain (with updates): Given the elevation of historic heritage to a matter of national importance in 2003 and its recognition in</p>

Current TRPS Issues	RMA Section 6 & 7 Matters ³	National Directives	Recommendations
<p><i>iwi concerning sustainable management of resources including lands, waters, the coast, wahi tapu and other taonga.</i></p> <p><i>5.1 Maintenance and enhancement of the quality of the urban environment.</i></p> <p><i>6.2 Management of the adverse effects of land fragmentation.</i></p> <p><i>6.3 Protection and enhancement of Significant Indigenous Vegetation, Plant and Animal Habitats, and natural and heritage features in the District.</i></p> <p><i>9.9 Public Interest in Access to and along the coast</i></p>		NES-FW	<p><i>national directives, it is recommended that historic heritage be identified as a significant resource management issue in its own right.</i></p> <p><i>Potential impacts on historic heritage are currently lost amongst broader issues such as natural heritage, the quality of the environment, land use, and coastal access, so that there is not necessarily a clear line of sight between the TRPS and TRMP provisions. Improve line of sight in TEP.</i></p>
<p>Natural Features and Landscapes</p> <p><i>6.3 Protection and enhancement of Significant Indigenous Vegetation, Plant and Animal Habitats, and natural and heritage features in the District.</i></p>	<p>Section 6(b)</p> <p>Section 7(c)</p>	<p>NZCPS</p> <p>NPS-IB (Draft)</p>	<p>Retain (with updates): Expand Issue 6.3 to elevate the recognition and protection of outstanding natural features and landscapes (ONFLs), including consideration of ‘amenity and valued’ landscapes.</p>
<p>Resource Management Process</p> <p><i>13.1 The development of integrated resource management plans as a unitary authority.</i></p> <p><i>13.2 Management of cross boundary issues between local authority boundaries.</i></p> <p><i>13.3 Consultation with the public in developing plans.</i></p> <p><i>13.4 Duty to assess alternatives in developing resource management plans.</i></p> <p><i>13.5 Implementing resource management plans.</i></p> <p><i>13.6 Making resource management decisions under uncertainty.</i></p> <p><i>13.7 Monitoring and enforcement.</i></p> <p><i>13.8 Managing resource management conflicts of interest within Tasman District Council.</i></p>	None	None	<p>Remove: These issues relate to resource management processes - they are not significant resource management issues.</p> <p><i>If required, these matters can be set out elsewhere in the TEP, e.g. in an introductory section.</i></p>

Table 5: Summary of Recommendations – PROPOSED NEW Resource Management Issues

Proposed New TRPS Issues	RMA Section 6 & 7 Matters	National Directives	Recommendations
<p>Climate Change</p> <p><i>Responding to climate change risks and impacts, including the need for mitigation and adaptation measures.</i></p>	<p><i>All s6 matters are relevant</i></p> <p><i>Section 7(a), (b), (d), (f), (i)</i></p>	<p><i>NZCPS NPS-FM NPS-IB (Draft) NPS-UDC</i></p>	<p>Add new issue: <i>Climate change needs to be included in the RPS as a significant issue. It is a major stressor that will exacerbate many of the other significant issues recommended for inclusion in the TEP. Therefore an integrated approach will be required to respond meaningfully to climate change risks and impacts.</i></p>
<p>Urban Growth & Infrastructure</p> <p><i>Providing for urban growth and the infrastructure required to support it while avoiding or minimising adverse effects on the environment.</i></p>	<p><i>All s6 matters are relevant</i></p> <p><i>Section 7(b), (g), (i)</i></p>	<p><i>NPS-UDC NPS-HPL (Proposed) NPS-FM NZCPS NPS-REG NPS-ET</i></p>	<p>Add new issue: <i>Addressing the need to provide for urban growth and infrastructure that meets the social, cultural and economic needs of a diverse population, while at the same time ensuring that important environmental, cultural and historic values are protected. Providing for a range of housing options is of particular importance to help address the current pressure on housing availability and the increasing unaffordability of housing. Consider either, including ‘Urban Growth and Infrastructure’ in the TEP as a standalone issue, or merging it with existing significant issues related to urban development and infrastructure.</i></p>
<p>Community Wellbeing</p> <p><i>Communities rely on strategic and sustainable resource use, development and protection in providing for their wellbeing.</i></p>	<p><i>All s6 and 7 matters are relevant</i></p>		<p>Add new issue: <i>Recognise the importance of sustainable resource use, development and protection for the social, cultural, environmental and economic wellbeing of Tasman communities. As with climate change, addressing the issue of community wellbeing requires an integrated approach across all of the issues identified in the report.</i></p>

3. Review of the Tasman Regional Policy Statement

3.1 Purpose of the TRPS Review

The Tasman Regional Policy Statement (TRPS) was made operative in 2001. Its purpose under the Resource Management Act (RMA) is to provide an overview of the key resource management issues within Tasman District as well as a policy framework to achieve integrated management of the District's natural and physical resources.

The TRPS has been in effect for 20 years and it has remained unchanged over that time. Pursuant to s79 of the RMA, Tasman District Council (TDC) is required to formally review the TRPS provisions. In addition, s35 of the RMA requires TDC to monitor the efficiency and effectiveness of the policies and methods of the TRPS. Such monitoring is mandatory.

As a consequence, TDC has embarked on a review of the TRPS to evaluate the extent to which its provisions:

- have achieved integrated management of natural and physical resources;
- continue to identify and respond to the significant resource management issues of Tasman;
- continue to meet statutory obligations by responding to amendments to the RMA (and other relevant legislation) and giving effect to national directives; and
- have contributed to the direction of environmental change that is broadly in line with national and community expectations.

The TRPS review is a backward-looking exercise; it seeks to determine how effective and efficient its provisions have been in achieving its purpose under the RMA. This information will in turn inform the development of the Tasman Environment Plan (TEP).

At the same time that the TRPS review has been carried out, the effectiveness and efficiency of the Tasman Resource Management Plan (TRMP) has also been evaluated. The two reviews are closely interlinked.

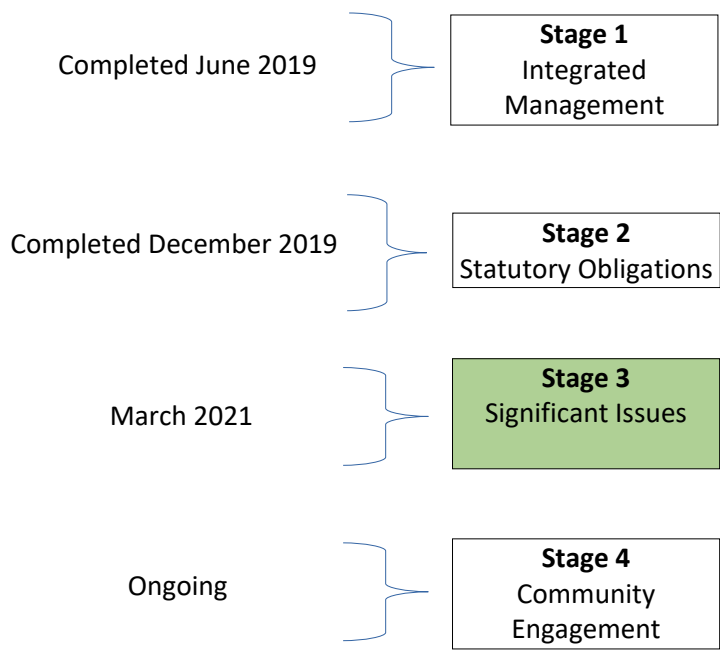
3.2 Stages in the TRPS Review

To determine the effectiveness and efficiency of the TRPS in meeting its purpose under the RMA, the following four stages are being followed:

1. Evaluating the extent to which the TRPS has achieved **integrated management** by determining how fully the issues, objectives and policies in the TRPS have been integrated (or 'given effect to') in the TRMP.
2. Ensuring the TRPS is meeting its **statutory obligations** by reviewing relevant changes to the RMA and other legislation, national-level policies and standards, and any other relevant plans and strategies that may need to be incorporated.
3. Assessing whether the issues identified in the TRPS continue to be **significant issues** or whether changes are required, by responding to shifts in legislative priorities, identifying significant issues in relevant iwi planning documents, reviewing environmental trend data, and undertaking rapid assessment workshops with council staff.

4. Canvassing **political, Iwi and community views** on the District’s significant issues by identifying new or changes to significant issues through council, Iwi and community workshops and hui.

As shown below, Stages 1 and 2 have been completed and are addressed in separate reports.⁵ Stage 3 is the focus of the current report. Stage 4 is ongoing with round one of community engagement having been completed in 2020, and further consultation planned for 2021/22 (to develop/test issues and options) and 2023 (consultation on the draft TEP).



The purpose of this report, then, is to assess whether the existing issues included in the TRPS continue to be significant, as well as to identify new or emerging issues that warrant inclusion in the TEP.

5 Mason, G. (July 2019) *Stage 1 of Tasman Regional Policy Statement Efficiency and Effectiveness Review: Integrated Management*. Report prepared for Tasman District Council; **and** Mason G. (Dec 2019) *Stage 2 of TRPS Efficiency and Effectiveness Review: Statutory Obligations*. Report prepared for Tasman District council.

4. Methodology

4.1 Determining the Significant Issues for Tasman District

There are two interrelated requirements for assessing whether an issue is significant:

1. Defining what is meant by 'significant'; and
2. Developing a framework for assessing whether an issue is significant or not.

Both of these requirements are now looked at in turn.

4.1.1 What is meant by 'significant'?

Despite the statutory directive for Tasman District Council to identify significant resource management issues, there is no definition in the RMA to shed light on what constitutes a significant issue, despite the fact the words 'significant' or 'significance' are used explicitly or implied in a number of key RMA provisions (see Appendix 3). Similarly, the Government's National Planning Standards, which set out the structure TDC must follow for the new TEP, does not specify what constitutes a 'significant' issue.

Ministry for the Environment guidance on implementing the National Planning Standards notes that *"...the structure allows for significant issues, including those important to iwi authorities... [but] The structure does not predetermine what these issues might be. It is up to each council and iwi to decide what is significant in their regional context"*.⁶

Significance in EIA

The meaning of 'significant' has been considered in depth in the field of environmental impact assessment (or EIA), which involves identifying and assessing the effects of development proposals and determining whether the effects are likely to be significant. Under the RMA this is known as an assessment of environmental effects (or AEE) and is undertaken as part of the resource consent process.

A review of EIA literature shows there are a number of common factors in practitioners' understanding of 'significance'. These are summarised in Table 6 below.

Table 6: Selected examples from EIA of definitions or interpretations of 'significance'⁷

Significance is centred on the impacts of human activities and involves a value judgement by society of the significance or importance of these effects. Such judgements are often based on criteria and reflect the political reality and perceptions of public acceptability and desirability.

Significance is an expression of the cost or value of an impact to society. The focus must be a judgement as to whether or not impacts are significant, based upon the value-judgements of society, or groups of people chosen to represent the wishes of society.

6 Ministry for the Environment. (Sept 2020) *National Planning Standards: Guidance for Regional Policy Statement Structure, Regional Plan Structure and Chapter Standards*. p.5. <https://www.mfe.govt.nz/Node/24908>.

7 Adapted from Rossouw, N. (2003) "A review of methods and generic criteria for determining impact significance". African Journal of Environmental Assessment and Management; Vol 6, p.46 https://www.researchgate.net/publication/280385254_A_REVIEW_OF_METHODS_AND_GENERIC_CRITERIA_FOR_DETERMINING_IMPACT_SIGNIFICANCE

Determination of significance requires predicting change alongside societal values. Ideally, change should be compared against thresholds of concern, some of which may be legally mandated and others determined by the public or authorities.

The evaluation of significance is subjective, contingent upon values, and dependent upon the environmental and community context. Scientific disciplinary and professional perspectives frame evaluations of significance.

Significance is an anthropocentric concept, which uses judgement and values to the same or greater extent than science-based criteria and standards. The degree of significance depends upon the nature of impacts and the importance communities place on them.

Determining significance is ultimately a judgement call. The significance of a particular issue is determined by a threshold of concern, a priority of that concern, and a probability that a potential environmental impact may cross the threshold of concern.

Applying these interpretations to environmental issues (as opposed to development impacts) informs that the significance of an issue requires a value judgement made by a community of concern. The judgement is based on technical, public, cultural and political perspectives, and involves consideration of the impacts of human activities on the environment and the extent to which environmental change (actual or potential) is wanted or unwanted.

Definition of a Significant Issue

Based on these interpretations of significance, the following is proposed as a definition for a significant resource management issue in the TEP:

For an issue to be significant it must be relevant to the sustainable management of Te Tai o Aorere (Tasman's) natural and built resources, and be of sufficient regional importance to be prioritised in the Tasman environment Plan, in order to achieve key environmental outcomes and to avoid unacceptable environmental impacts.

The use of 'environment' in this definition includes people and communities, as per its meaning in the RMA. Other RMA terminology relevant to this definition is outlined in Box 1 below.

Box 1: RMA terminology Relevant to the Definition of a Significant Issue (RMA, section 2)

Sustainable Management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

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

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

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 paragraphs (a) to (c) or which are affected by those matters.

4.1.2 How to determine whether an issue is significant

The EIA literature is also helpful in identifying the means for determining whether an issue is significant or not. As indicated in Table 1 above, thresholds are an analytical tool used for judging significance and can be defined as a set of criteria against which the significance of an issue may be assessed.

While there is no definition for significance in the RMA, a number of provisions do include relevant significance criteria. These are set out in Table 7 below and are grouped by the common themes evident across the provisions. Taken together, these provisions assist in identifying criteria to be used for assessing whether an issue is regionally significant.

Table 7: Criteria for Determining Significance in Key RMA Provisions

Themes	RMA Section 45 - Purpose of national policy statements	RMA Section 65 - Preparation and change of regional plans	RMA Section 142 – Proposals of National Significance
Resource Use Conflict or Public Concern		(a) Any significant conflict between the use, development, or protection of natural and physical resources or the avoidance or mitigation of such conflict.	(i) Whether the matter has aroused widespread public concern or interest regarding its actual or likely effect on the environment, including the global environment.
National or Regional Significance	(c) Anything which affects or potentially affects any structure, feature, place, or area of national significance .	(b) Any significant need or demand for the protection of natural and physical resources or of any site, feature, place, or area of regional significance.	(iii) If the matter affects or is likely to affect a structure, feature, place, or area of national significance.
Significant Use	(a) The actual or potential effects of the use, development, or protection of natural and physical resources.	(d) Any foreseeable demand for or on natural and physical resources. (h) Any use of land or water that has actual or potential adverse effects on soil conservation or air quality or water quality .	(ii) If the matter involves or is likely to involve significant use of natural and physical resources .
Degree of Impact or Risk	(f) Anything which, because of its scale or the nature or degree of change to a community or to natural and physical resources, may have an impact on, or is of significance to, New Zealand. (g) Anything which, because	(c) Any risks from natural hazards .	(v) Whether the matter results or is likely to result in or contribute to significant or irreversible changes to the environment, including the global environment.

Themes	RMA Section 45 - Purpose of national policy statements	RMA Section 65 - Preparation and change of regional plans	RMA Section 142 – Proposals of National Significance
	of its <i>uniqueness, or the irreversibility or potential magnitude or risk</i> of its actual or potential effects, is of significance to the environment of New Zealand.		
New Technology, Processes or Methods	(e) Anything concerning the actual or potential effects of the <i>introduction or use of new technology or a process which may affect the environment.</i>		(vi) If the proposal involves or is likely to <i>involve technology, processes, or methods that are new to New Zealand</i> and that may affect its environment.
Cross-Boundary Effects	(d) Anything which affects or potentially <i>affects more than one region.</i>		(ix) If the matter affects or is likely to <i>affect more than one region or district, including (x) any network utility operation.</i>
Significance to Tangata Whenua	(h) Anything which is <i>significant in terms of section 8 (Treaty of Waitangi).</i>	(e) Any <i>significant concerns of tangata whenua</i> for their cultural heritage in relation to natural and physical resources.	(vii) If the matter is or is likely to be <i>significant in terms of Section 8 (Treaty of Waitangi).</i>
National or International Obligations	(b) New Zealand’s interests and obligations in <i>maintaining or enhancing aspects of the national or global environment.</i>		(iv) Whether the matter affects or is likely to affect or is relevant to <i>New Zealand’s international obligations to the global environment.</i>
Restoration or Enhancement		(f) The <i>restoration or enhancement of any natural and physical resources</i> in a deteriorated state or the avoidance or mitigation of any such deterioration.	

Use of Significance Criteria by other Regional Councils

Criteria consistent with the RMA provisions above have been used by other regional councils to identify issues of regional significance.⁸

⁸ Memo to Barry Johnston by Liz White (Incite), January 2020

Other regional councils use a combination of some of the following criteria as a base for determining what issues are regionally significant:

- **Widespread problem** – A problem which is relevant throughout the region, possibly crossing local authority boundaries.
- **Scarce resource** – A natural or physical resource that is scarce, rare or unique, and/or under threat. Includes internationally and nationally recognised resources, including those that are nationally significant under section 6 of the RMA. Also includes physical resources that have particular locational requirements or that form interlinked networks and natural resources that become scarce through unsustainable use
- **Significant use** - Any significant use or development of the region's natural and physical resources.
- **High value/ significance** - values associated with natural and physical resources or any structure, place, feature or area which are of greater than local significance, which are rare or unique within the region. Includes matters relevant to the region that are of national or international significance.
- **Iwi significance** - Effects considered by tangata whenua to be of greater than local significance.
- **Resource use conflict** – The presence of, or potential for, significant conflicts in resource use.
- **Cumulative impact** – The presence of, or potential for, significant cumulative impacts arising from resource use.
- **High interest or resourcing** - issues that have a high level of community interest and/or generate the highest level of council spend to address.

Several councils use only four of the criteria (widespread problem; scarce resource; resource use conflict; and cumulative impact) or a variation of these and most considered any issue meeting one of those criteria as regionally significant. Others used a different combination of the above criteria and in some cases assigned a score for each criterion to determine the overall level of significance.

Using criteria to help assess the significance of regional issues has a number of advantages, including:

- They are a means of making policy more rational, predictable and scientific;
- Councils are able to make consistent determinations of significance;
- They focus analysis on tangible measurements of environmental outcomes; and
- They help to establish monitoring needs.⁹

4.1.3 Assessment Criteria

Taking the RMA and council assessment criteria into consideration, the criteria shown in Box 2 have been adopted for assessing the significance of issues in the TRPS. Appendices 4 and 5 outline the degree of consistency between these criteria and those in the RMA and/or used by other regional councils.

9 Rossouw, N. (2003), p.54-55

Box 2: Assessment Criteria for assessing Significant Resource Management Issues in the TRPS

Significance Assessment

The following five criteria were used to help determine the significance of an issue:

- **Widespread** – an issue which is prevalent throughout the Tasman District (in terms of geographical extent and/or population affected), possibly crossing local authority boundaries.
- **Effect on High Value** - an issue which impacts (positively or negatively) on the district's natural and physical resources of high value (e.g. regional, national or international classification), including relevant matters set out in RMA sections 6 and 7.
- **Resource Under Pressure** - an issue which impacts on the district's natural and physical resources in a way that may be unsustainable or cause significant adverse effects.
- **Resource Use Conflict** - the presence of, or potential for, significant conflicts in resource use, including competing demands for the same resource (e.g. allocation of freshwater) and incompatible uses of a resource, including cross boundary conflicts (e.g. water discharge vs water take, urban vs rural land uses).
- **Degree of Impact** – the degree of environmental impact (positive, negative, cumulative) caused by the issue. Impact characteristics may include magnitude, duration, frequency, reversibility, likelihood, and direct or indirect.¹⁰

In addition to these five significance criteria, three more criteria have been used to provide information relevant to the implementation of the TRPS and the partnership between Council and iwi. They are:

Implementation Assessment

5. **Strength of Evidence Base** – the extent and quality of information available to assess the significance of the issue. Where relevant, highlight any uncertainty / gaps in knowledge and whether the precautionary principle applies.¹¹
6. **High Cost** - issues that demand comparatively high levels of public or private resources to address.

Partnership Assessment

7. **Iwi significance** – an issue identified by Te Tau Ihu iwi as being significant.

These three criteria **do not** form part of the overall assessment of significance. Criterion 5 provides an indication of the environmental data available at present for each of the issues. It helps show where there are gaps in knowledge and therefore where information gathering effort is required, e.g. through Council's environmental monitoring programme. Criterion 6 indicates whether addressing a regional issue is likely to require significant public or private resources. This information may be useful to the Council when developing Long Term Plan, for instance.

With respect to criterion 7 'Iwi Significance', the RMA requires that a separate chapter be included in the TRPS that outlines matters of significance to iwi. That chapter is in addition to the significant

10 Lawrence, D.P. (2007) "Impact significance determination – Back to basics". Environmental Impact Assessment Review 27, pp.757-758 - https://www.researchgate.net/publication/222825624_Impact_significance_determination-Back_to_basics. For descriptions of these characteristics see also CIEEM. (2018) *Guidelines for Ecological Impact Assessment in the US and Ireland*, pp.38-40 – <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>.

11 Application of the precautionary principle is discussed in Lawrence, D.P. (2007) "Impact significance determination – Pushing the boundaries". Environmental Impact Assessment Review 27, pp.783-784 - https://www.researchgate.net/publication/248536277_Impact_significance_determination-Pushing_the_boundaries.

resource management issues chapter which is the focus of this report.

Applying the Assessment Criteria

In considering the options available for applying the assessment criteria, the following advice has been provided to Council:¹²

If... criteria... are adopted, it will then be necessary to determine how they are applied. Options include:

1. *Any issue is considered regionally significant if it meets any criterion, even if it only meets one;*
2. *For an issue to be regionally significant, it must meet a minimum number of criteria (e.g. two or more);*
3. *Each issue is assessed and given a ranking for each criterion (e.g. out of 3) and an issue is considered regionally significant if the total meets a minimum number (e.g. 10)*

The first option, where only one criterion needs to be met for an issue to be considered significant, would potentially lead to a large number of issues being identified in the TRPS. This is contrary to advice from the Ministry for the Environment, which has stated that “*Practice varies on how ‘significance’ is determined. Policy statements range from prioritising the top three or four issues (which are generally expressed broadly and covering multiple resources) to considering all issues ‘significant’. We encourage the former approach...*”¹³

While both options 2 or 3 would enable greater prioritisation of issues, option 3 has been adopted, for the reasons set out below.

Numerical Scoring System

A simple numerical system has been used, by **assigning either a 1, 2 or 3 to each criterion**, which represents a low, medium or high significance, risk or effect. Where a criterion was not relevant it has been assigned a score of NA (not applicable). Additional guidance for applying the scoring system has been developed to promote consistency in assessing each criterion across the TRPS issues (see Appendix 6).

The total score across the five significance criteria (criterion 1 – 5) then determined whether an issue is of sufficient significance to be included in the TRPS. A **total score of 12 has been set as the threshold** to indicate significance, i.e. an issue that scored 12 and above has been considered significant enough to be retained in the TRPS, whereas issues that scored 11 or below need further review or removal.

Note again that criterion 6 ‘Strength of the Evidence Base’, criterion 7 ‘High Cost’ and criterion 8 ‘Iwi Significance’ are not included in the overall significance score.

Applying a numerical scoring system in this way clearly demonstrates why certain issues have been assessed as significant and others not. A scoring system provides a transparent basis for discussion and debate regarding the relative weight to assign each criterion. This weighting can be reviewed over time as new information about a particular issue comes to light, such as its prevalence, effect or level of public concern.

12 Memo to Barry Johnston by Liz White (Incite), January 2020

13 Ministry for the Environment. (Sept 2020) *National Planning Standards: Guidance for Regional Policy Statement Structure, Regional Plan Structure and Chapter Standards*. p.5. <https://www.mfe.govt.nz/Node/24908>.

Without a numerical scoring system, the assessment relies solely on qualitative statements and any weighting given to a particular criterion (or to the criteria as a whole) will not be obvious and may seem arbitrary.

Information sources used for assessing significance against each criterion include:

- Key RMA provisions, e.g. section 6 matters of national importance;
- National Policy Statements and National Environmental Regulations;
- Iwi management and environmental plans;
- Staff knowledge and experience, including relevant TRMP s35 evaluation reports;
- Technical documents, such as state of the environmental monitoring reports; and
- Consultation documents, including TDC's Long Term Plan and the Te Tau Ihu Intergenerational Strategy.

Overall Assessment Approach

The overall approach used to identify significant resource management issues for Tasman District can be characterised as a 'reasoned argumentation approach', which "views significance determinations as a process of making reasoned judgements, supported by technical and non-technical evidence".¹⁴

14 Lawrence, D.P. (2007) "Impact significance determination – Designing an approach". Environmental Impact Assessment Review 27, p.752

5. Assessment of Current TRPS Issues

The following assessment applies the five significance criteria and the three additional criteria to the current TRPS issues, grouped under the relevant resource management topic. The assessment consists of the numerical score assigned for each criterion, a written statement outlining why the score has been given for each criterion, and further comment to provide background information of relevance to the issue. Finally, a recommendation is given to either retain, review or remove the issue, and to identify when a new issue needs to be added (where relevant).

5.1 Iwi Matters

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
4.2 Developing Relationships between the Tangata Whenua & Council	3	3	3	3	3	15	3	1-2	3
4.3 Environmental Management Kaupapa & Tikanga	3	3	3	3	3	15	3	1	3
4.4 Commercial Interests of Iwi	3	3	3	3	3	15	3	1	3

ASSESSMENT:

Criteria 1-8:

Eight iwi are tangata whenua in Te Tau Ihu.¹⁵ Tasman District also covers the northern-western part of the Ngāi Tahu takiwā (tribal area/territory). Iwi have interests in all aspects of the environment – land, air, freshwater and the coast. The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga is a matter of national importance under the RMA (s6(e)). Other matters of national importance, especially those affecting resources of high value, are relevant to these RPS issues, particularly s6(a) preservation of natural character, s6(b) protection of outstanding natural features and landscapes, s6(c) protection of indigenous vegetation and habitats, s6(f) protection of historic heritage, and s6(g) protection of protected customary rights. The role of tangata whenua as kaitiaki is also a significant matter (s7(a)).

Iwi management and environment plans identify a range of concerns regarding resource overuse and environmental degradation, including issues relating to cultural heritage,

¹⁵ Ngāti Tama ki Te Tau Ihu, Te Ātiawa o Te Waka-a-Māui, Ngāti Rārua, Ngāti Kōata, Ngāti Toa Rangatira, Ngāti Kuia, Ngāti Apa ki te Rā Tō, and Rangitāne o Wairau. For more details see <https://www.tasman.govt.nz/my-region/iwi/>.

land, indigenous biodiversity, the coast, rivers, lakes and freshwater, air quality, and discharges / contaminants.

COMMENT:

National Directives:

The NZCPS, NPS-FM and draft NPS-IB have strong provisions requiring involvement of tangata whenua in decision-making and management of the coastal environment, freshwater and indigenous biodiversity.

Iwi Management and Environment Plans:

Three Iwi Management Plans have been lodged with TDC by iwi having interests in the Tasman District:¹⁶

1. Ngāti Koata No Rangitoto Ki Te Tonga Trust Iwi Management Plan (2002)
2. Te Rūnanga O Ngāti Kuia, Pakohe Management Plan (2015)
3. Ngāti Tama ki Te Waipounamu Trust Environmental Management Plan (2018)

Two other plans prepared by Iwi with interests in Tasman have been lodged with Nelson City Council:¹⁷

4. Nga Taonga Tuku Iho Ki Whakatu Management Plan (2004)
5. Te Ātiawa Ki Te Tau Ihu Iwi Environmental Management Plan (2014)

Relevant provisions in the plans should be taken into account when the TRPS is updated.

TRPS Integrated Management report:¹⁸

A review into the degree of integration between TRPS issues, objectives and policies and related TRMP provisions concluded that:

“There needs to be a more consistent approach to addressing matters of significance to Māori in the TRPS and TRMP, including a discussion of the importance of the Treaty of Waitangi to resource management, and incorporation of key concepts such as tino rangatiratanga and kaitiakitanga into the objectives and policies. The Tangata Whenua Interests section in the TRPS has no objectives and only three policies, and the issues that are identified are not comprehensive”.

Treaty Settlements and Te Tau Ihu Statutory Acknowledgements 2014:

All of the te tau ihu iwi have negotiated Treaty of Waitangi settlements.¹⁹ These settlements place obligations on TDC and how it exercises the relevant functions under the RMA. Treaty settlement legislation includes statutory acknowledgements by the Crown of statements of association by relevant iwi of their particular cultural, spiritual, historical and

16 <https://www.tasman.govt.nz/my-region/iwi/iwi-management-plans/>

17 <http://www.nelson.govt.nz/council/plans-strategies-policies/strategies-plans-policies-reports-and-studies-a-z/iwi-management-plans>

18 Mason, G. 2019. Stage 1 of Tasman Regional Policy Statement Efficiency and Effectiveness Review: Integrated Management, p.7.

19 Four pieces of Treaty settlement legislation relate to the nine iwi within Tasman District: 1. Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014; 2. Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014; 3. Ngāti Toa Rangatira Claims Settlement Act 2014; and 4. Ngāi Tahu Claims Settlement Act 1998.

traditional associations with statutory areas; statements of coastal values made by relevant iwi and their particular values relating to coastal statutory areas; and Deeds of Recognition which acknowledge sites with which iwi have a special relationship. This type of redress enhances the ability of the iwi to participate in specified Resource Management Act 1991 processes.²⁰

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Review *with tangata whenua the matters of significance to iwi to ensure they cover the full range of resource management issues in the Tasman District. The review should update the TRPS to give effect to national directives, recognise and provide for s6 matters of national importance, and take into account s8 with regard to the principles of Te Tiriti o Waitangi. Relevant matters contained within the iwi management plans and iwi environment plans will need to be taken into account. Treaty Settlement legislation and statutory acknowledgements will also need to be reflected in the review.*

With regard to Issue 4.4, a particular consideration for review is the need for access to water (including reservation within water allocation limits) to enable use and development of iwi settlement lands and Māori perpetual lease land (refer TRMP policy 30.2.3.27).

Add New Issue: *Incorporate consideration of climate change effects in relation to this issue (e.g. climate change and any adaption response will present new challenges for iwi, hapū, whānau and Māori enterprise).*

20 For further details refer to <http://www.nelson.govt.nz/assets/Environment/Downloads/TeTaulhu-StatutoryAcknowledgements.pdf>.

5.2 High Productive Land and Land Fragmentation

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.1 Allocating the use of high quality lands adjacent to urban areas.									
6.1 Sustaining the high quality land resource.	3	3	3	3	3	15	3	1	3
6.2 Management of the adverse effects of land fragmentation.									

ASSESSMENT:

- Includes Rural 1 and parts of Rural 2 zoned land throughout the District.
- One of the key requirements of sustainable management under the RMA is safeguarding the life-supporting capacity of soil s5(2)(b). Productive land has high value for food growers and the regional economy.²¹ The TRPS can require the TRMP to protect high productive land for food growing. A finite resource that is under pressure from subdivision and non-soil based activities. The quality of productive land may also be declining in many locations due to degenerative land management practices, such as a reduction in soil organic matter and nutrition.
- Availability of productive land for food growing is in conflict with non-soil-based uses, notably expansion of rural settlements and rural residential development. There is concern in NZ about plantation forestry being established on productive land leading to a loss of food production and economic decline for rural communities. It's not clear whether this is likely to be an issue in Tasman.²²
- There is a proportionally small amount of high productive land in the District (approximately 5%), but it is a finite resource that cannot be recovered once lost.
- TDC undertook a Rural Land Use and Subdivision review in 2013; land fragmentation has been identified as a significant issue in Tasman (Rutledge et al, 2015).²³

21 <https://ecoprofile.infometrics.co.nz/Tasman%2BDistrict/Gdp>; and <https://ecoprofile.infometrics.co.nz/Tasman%2BDistrict/Employment>

22 <https://www.stuff.co.nz/business/farming/121853585/emissions-trading-reform-a-slap-in-the-face-for-sheep-and-beef-farmers>; <https://www.rnz.co.nz/news/country/391287/farmland-loss-to-forestry-land-prices-raise-fears-for-economy-mayor-says>

23 Rutledge, D. Price, R. & Hart, G. 2015. *National Guidelines for Monitoring and Reporting Effects of Land Fragmentation*. Landcare Research, Lincoln.

- *Protecting high productive land under the RMA does not create a high resource or financial cost.*
- *Iwi assessment required, but assume high significance. Iwi management plans identify the need to protect soils and prevent fragmentation of agricultural land.*

COMMENT:

National Directives: Central Government is working on a proposed National Policy Statement for Highly Productive Land (NPS-HPL) to prevent the loss of more productive land and promote its sustainable management. The overall purpose of the proposed NPS-HPL is to improve the way highly productive land is managed under the RMA to:

- *recognise the full range of values and benefits associated with its use for primary production;*
- *maintain its availability for primary production for future generations; and*
- *protect it from inappropriate subdivision, use and development.*

The TRPS needs to give effect to the objectives, policies and methods in the NPS-HPL when it is finalised.

TRMP Review 2019-2020: The s35 evaluation report for Chapter 7 'Rural Environment Effects' recommended that TDC "continue to protect our highest quality land for productive use and avoid urban development on highly productive land where other feasible options exist for locating urban growth" (p.2). A Rural Land Use and Subdivision review in 2013 found that for the productive zones, Rural 1 and 2, the TRMP was largely achieving the objective of avoiding the loss of productive land, but this was less evident for high productive land. Land uses and activities that are 'non soil-based' were increasing on high productive land. There was also an overall trend toward an increase in the number of small titles (i.e. land fragmentation). These findings culminated in Plan Change 60 which, made operative in June 2019, which revised the policy set and rules for rural areas.

Nelson-Tasman Future Development Strategy: The FDS sets out how the urban settlements and townships in the Nelson and Tasman regions will change and develop over the next 30 years. The FDS shows where future housing and business development is likely to be located, and how this development is likely to be phased and timed over the 30 year period. One of the strategy's core principles is to "Minimise expansion onto land of high productive value" (p.11).

Climate Change: RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): *retain the protection of high productive land as a significant issue in the RPS and consider consolidating the three current issues into one concise issue statement. Also consider consolidating with "Soil Damage or Loss" issue (see issue 6.6).*

Address the issue of loss of rural character separately from the issue of loss of productive values, as there will be factors in addition to land fragmentation that impact on rural character. Consider, for instance, addressing rural character under the Natural Features and Landscapes issue (see p.81).

Add New Issue: *Incorporate consideration of climate change effects on high productive land (e.g. future changes in agricultural systems, food production and land uses).*

5.3 Cross Boundary Effects

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.4 Cross-boundary conflicts between adjacent urban and rural areas. ²⁴	3	2-3	2-3	3	3	13-15	3	3	3
6.4 Management of the adverse effects of rural land use activities across property boundaries. ²⁵									
13.2 (vii) Management of cross boundary issues between local authority boundaries.									
<p>ASSESSMENT:</p> <p>1. There is widespread opportunity for urban/ rural cross boundary effects as the District has over 20 towns and local centres and all have an urban/rural interface. The main towns/local centres were built on and are surrounded by high productive land. Many of our rural land uses (agricultural, horticulture and orchards) undertake activities and practices that can have an effect on neighbouring properties or nearby urban areas (e.g. agricultural spraying, outdoor burning, and creation of odours). Cross boundary effects also extend across the boundaries of local authorities. This is particularly the case between Tasman District and Nelson, the West Coast Region and Buller District, but also Marlborough District, Hurunui District and the Canterbury Region.</p> <p>2. Rural land use activities and their cross-boundary effects (e.g. smoke, agrichemical sprays, and odours) have the potential to impact on the district's natural and physical resources of high value. The potential for cross boundary effects compromises a number of RMA Section 7 matters: (b) and (g) the efficient use and development of and finite characteristic of natural and physical resources; and (c) the maintenance and enhancement of amenity values. Cross boundary issues between local authorities relate to resources of high value, such as management of coastal water quality and coastal space, freshwater management on shared catchments, management of air quality, and protection of</p>									

24 The TRPS identifies the adverse effects of rural activities such as: agrichemical spraying; smoke nuisance and contamination from domestic fires and burning of farming, orchard, forestry or industrial waste; operating bird scarers and hail guns; planted shelter belts; and stock farming such as piggeries (TRPS, p.29).

25 The TRPS identifies shelter belts, spray drift from agrichemicals, noise and odour as significant rural cross-boundary effects in the District (TRPS, p.46).

natural values and features (e.g. Waimea Estuary).

3. Protecting the potential of high productive land, regulating discharges to air (e.g. smoke, agrichemical sprays, and odour) and the amenity of urban areas are key TRMP policy objectives. Managing cross boundary issues between councils can help alleviate pressures on resources, e.g. the coastal environment, freshwater quality and quantity, and protection of biodiversity through joint pest management and biosecurity planning. 4. Cross boundary effects are an expression of conflict between the use of resources, particularly land and air within the setting of adjacent rural properties, or the interface between rural and urban areas. Integrated and consistent approaches to issues that cross local authority boundaries can help prevent conflicts arising, as well as enhance outcomes and promote efficiencies, e.g. through strategic planning for future urban development capacity, services (e.g. transport), and infrastructure.

5. Degree of impact can range depending on the activity and circumstances. For example, a short term impact could be operating bird scarers (temporary noise), or a long term impact could include orchard operations such as regular crop spraying (potential for spray drift) or burning of prunings (potential for smoke nuisance). As noted, consistent management of cross boundary issues between local authorities has a positive benefit for a range of resources, values, activities (including economic) and services. A lack of such cooperation would create a negative impact.

6. Strong evidence base, particularly in relation to complaints regarding discharges to air (smoke, agrichemical sprays, and odour). Usually use of rural land for plant and animal production can be compromised. Within urban scenario, cross boundary effects compromise business efficiency and residential amenity.

7. Cost to council of servicing complaints is significant, particularly staff resourcing to respond to smoke complaints during autumn and winter (refer to the Chapter 34 Discharges to Air s35 report for more information).

8. Rural land use activities and their cross-boundary effects are likely to be of high interest to iwi due to the potential impact on sensitive receiving environments, e.g. use of sprays and their potential impact on water/land/air; and smokey fires as outdoor rural burning as a land management tool directly impacts on air quality. The rohe of te tau iwi also extend across local authority boundaries, which means that consistent approaches in addressing issues of significance to the tangata whenua are important.

COMMENT:

National Directives:

NPS-HPL is intended to protect HPL for plant and production and from compromise by other uses.

NPS-UDC and the Nelson-Tasman FDS

TRMP Review 2019-2020:

With regard to Issue 5.4, the s35 evaluation reports for Chapters 5 'Site Amenity Effects' and 6 'Urban Development Effects' concluded that "Over the years the urban development plan changes, systematically, have applied the planning technique of clustering zones providing for activities with similar effects (residential and commercial) and separating those with incompatible effects (residential and industrial) through the use of buffers such as open space and infrastructure networks or mixed use zones where the nature of the effects is carefully regulated (such as the Richmond West Mixed Business and Motueka Mixed Use zones. The complaint information together with the consistent use of buffering techniques between incompatible activities in urban development plan changes shows that policies of Chapter 6 (which support the Chapter 5 outcomes) are largely effective in managing the effects of urban growth" (p.26). Councillors attending the s35 workshop for Chapter 6 noted the importance of policies seeking to avoid the loss of productive land to urban development and to cross boundary and reverse sensitivity effects.

Similarly, in relation to Issue 6.4, the Chapter 7 evaluation report concluded that "Managing the effects of activities in rural areas, including cross boundary and reverse sensitivity effects, and effects on rural character and amenity values - Chapter 7.4 - The review results highlighted that for the Rural 1, 2 and Rural Residential zones, the policies lacked

specific focus on rural character and amenity matters particularly in relation to cumulative effects and the subdivision and use of small lots. This creates the potential for confusion and duplication with other policies in the TRMP covering similar matters – such as stormwater management in Chapter 33.3 and landscape protection in Chapter 9.

“The RLUS review in 2013 considered the policies moderately successful. In that the TRMP has identifies specific zones to provide for other non-soil based activities that occur in rural areas. However, land cover data and resource consent information showed the continued urbanisation of productive land, particularly Rural 1 land. This emphasised the importance of effective buffering between incompatible activities if objectives relating to soil based productivity and rural amenity are to be retained” (p.29).

“PC60 addressed the recommendations by:

(a) clarifying that development other than plant and animal production activity was provided for in specific zoned locations (Rural Residential and Rural 3 zones - for rural lifestyle living) (P 7.2.3.2, 6, 7);

(b) expanding on the potential characteristics of such residential development (P7.2.3.3, 4, 5, 8) and

(c) reaffirming that adequate separation of incompatible activities was needed. (P7.2.3.6)” (p.30).

“RLUS review 2013 recommendations: The risk of increased reverse sensitivity effects through small title subdivision in rural zones indicates that the policy framework relating to buffers and setbacks between residential areas needs review. PC60 substantially amended intra-rural zone setbacks to reduce the risk of cross boundary and reverse sensitivity effects” (p.34).

Issue 5.4 and 6.2 both consider cross-boundary effects and conflicts as a result of discharges to air, including smoke from outdoor burning, use of agrichemical sprays, and odours. The s35 evaluation report for Chapter 34 Discharges to Air concluded that outdoor burning remains a key issue in the District as it causes air pollution and loss of amenity from smoke nuisance for urban settlements. The report also identified that the number of resource consents for use of pesticides in the District is increasing, and the risks and environmental effects (e.g. adverse effects on human health and the environment) should continue to be regulated either through the Tasman Environment Plan or other relevant legislation.

RECOMMENDATION:

Retain (with updates): *As population increases and land uses intensify, careful management of these issues remains significant. These issues could be combined and amended to better reflect current context and scope.*

5.4 Urban Design and Development

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.7 Maintenance and enhancement of the quality of the urban environment	3	3	3	3	3	15	3	3	3

ASSESSMENT:

1. Most (about 2/3) of district population) lives in the urban environment.
2. RMA Section 7 matters: (b) the efficient use and development of natural and physical resources: and (c) the maintenance and enhancement of amenity values highlight the significance of the topic. Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.
3. Refer to point 4 below. Under / poor capacity of storm and wastewater services of significant concern to Iwi (e.g. discharges of raw sewage to water bodies)
4. Poor quality urban environment likely to have 'significant' adverse effects on quality of natural environment (discharges from poor network servicing poor health, social, cultural and economic outcomes.
5. Issues related to poor quality urban environments (contamination of drinking water supply) cause widespread public concern
6. Most of Council budget spent on servicing the urban environment (3 waters, roading, community services, and green space). This can be quantified through Annual plan and LTP
7. Significant – due to demographics.
8. Urban Design and Integrated Sustainable Development is important to create higher quality urban environments for people and achieve environmental outcomes.
9. Urban development contributes to housing supply and increased affordability, and business land provision provides employment.

COMMENT:

National Directives:

The NPS-UDC directs local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space. TDC and NCC have prepared a joint Future Development Strategy (FDS) in accordance with the NPS-UDC.

RECOMMENDATION:

Retain (with updates): Urban Design and Development as a regionally significant issue now needs to refer to growth and unaffordability.

More clearly address the issue of urban character and the need to identify and maintain the character that exists in Tasman's towns and settlements.

Add New Issue: addressing urban growth and infrastructure

Add New Issue: Incorporate consideration of how urban design and development can contribute to mitigating and/or adapting to climate change effects (e.g. building design, active transport infrastructure, green infrastructure and environmental enhancement of urban areas).

5.5 Biodiversity

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.3 Protection & enhancement of significant indigenous vegetation, plant & animal habitats, & natural & heritage features in the district*	3	3	3	3	3	15	3	3	3

ASSESSMENT: * This assessment applies to the biodiversity aspect of Issue 6.3; for the assessment of historical and cultural heritage values see p.78, and for natural features and landscapes see p.81.

- Widespread** - Biodiversity is trending down in line with national data. The Tasman district trends are consistent with the national trend (SOE reporting).
- Effect on High value** - The significant natural areas (from a biodiversity perspective), and natural wetlands of the district are still being categorised and mapped, natural wetlands have been highly modified or lost by draining over past years. The positive benefits arising from the biodiversity being retained within these natural environments and the ecosystem services provided in the riparian margins for freshwater (sediment reduction –improved water quality, shading of freshwater –improved indigenous freshwater species habitat) and overall improved water quality/habitat health is hard to quantify. Loss of biodiversity in the coastal environment, freshwater and riparian margins is considered to be a high cost with a range of adverse impacts arising from any further loss and /or damage. Therefore, a significant effect on high values.
- Resource under pressure** - Biodiversity within the terrestrial, freshwater and coastal marine spaces is not a resource in itself but the ecosystem services provided by high quality biodiversity is likely to be underestimated. Monitoring has identified continuing decline in key coastal marine vegetation, in some areas, which is likely to have adverse effect on the broader CMA. Some activities in the coastal marine area physically affect significant indigenous biodiversity and as the district’s population increases the use of the coastal marine area is also likely to increase with consequential impacts on biodiversity.
- Resource Use Conflict** - use of riparian land margins for informal stock grazing adversely impacts on the biodiversity in this space. Stock grazing of these spaces is often seen as a right and is also utilised as access to water for stock drinking. There is potential for conflict between the historic ad hoc grazing use and the changes signalled by the NPSFM and the NESFM. The riparian margin space alongside the region’s major rivers is often in public ownership, in the control of either LINZ or Council. Neither party has capacity to manage complete remediation, and or restoration of biodiversity in these spaces. The two different scenarios of (1) public riparian spaces being used by adjoining land owners or members of the public for stock grazing, or (2) no use or management of the space and the subsequent reversion to pest plant species (anecdotal observations) can give rise to both a loss of biodiversity and sediment transfer to water which impacts on biodiversity. The common coastal and marine area is owned by no one and any person may apply to use or undertake activities subject to the provisions in the regional coastal plan. In the past there have been conflicts between resource users and limitations on knowledge regarding significant indigenous biodiversity and the effects activities may have on those values often added to the conflicts.
- Degree of impact** - The biodiversity present in the coastal environment, freshwater and riparian margins is fragile and under pressure from other uses. There is likely a high risk of adverse impacts on biodiversity values. These areas can be vulnerable to the pressures from horticultural, agricultural industries and also recreational uses from nearby urban populations.
- Strength of evidence Base:** strong observational information from community groups, scientists and SOE reporting. The coastal marine area is a complex area and often science

is lacking regarding the effects of activities and the effects those activities might have on the ecosystem..

7. **High Costs** -Potential for high costs to council if the improvement of biodiversity in these spaces was required to include restoration and remediation. There is a significant area of riparian land alongside the main rivers with public spaces in the Tasman District.
8. **Iwi Significance** - Biodiversity in the coastal, freshwater and freshwater riparian margin space will have high values and significance to the nine iwi of the region.

COMMENT:

National Directives:

To prevent further biodiversity losses and promote sustainable management, Central Government has published an updated Biodiversity strategy for New Zealand (Te mana o Te Taiao, 2020) . Also, Central Government currently is working on a proposed National Policy Statement for Indigenous Biodiversity. The national direction will support RMA Part 2 S6 Matters of National Importance 6(a) - (c) and S7 Other Matters (d) and (f).

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): Issue to be retained as a regionally significant issue, but amended to reflect current context, language and scope. The issue must be reframed in the context of Te Mana O Te Wai , NZBS, NPS –

This portion of a regionally significant issues would rank biodiversity in the terrestrial, coastal, freshwater and riparian margin domains as a significant resource issue.

Riparian margins are an important tool in managing riparian and aquatic health, including providing water shading for temperature and light control, food sources and habitat for aquatic species, and managing/reducing sediment and nutrient transfer to freshwater sources and the coastal marine area. Sediment has a negative impact on biodiversity and the quality of the water. This topic is very interconnected with other issues.

Add New Issue: Incorporate consideration of climate change effects on biodiversity (e.g. loss of indigenous biodiversity, increased pest species, a need to provide for ecological migration as a result of sea level rise, impacts from natural hazard events (e.g. landslides, flooding, wild fire)).

5.6 Soil Damage or Loss

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.6 Soil damage or loss and sedimentation arising from land use in farming, forestry, mineral extraction or construction activities	3	3	3	3	3	15	2-3	2	3

ASSESSMENT:

1. Soil damage / loss is a potential issue for all rural zones and for a range of land uses. Sedimentation affects streams, rivers and the CMA throughout the District.
2. One of the key requirements of sustainable management under the RMA is safeguarding the life-supporting capacity of water, soil, and ecosystems (s5(2)(b)). Several s6 matters of national importance and s7 'other matters' relate directly to Issue 6.6 (i.e. ss6(a), (e) and (g), and ss7(d), (f) and (h)). The RPS must also 'give effect' to several national directives (discussed below) that seek to reduce soil loss and sedimentation.
3. There are many demands for the use of land, including urban development, agriculture, horticulture, and plantation forestry. Some of these practices will help protect and enhance soil quality, whereas others will result in the loss of productive land (e.g. urban development) and soil intactness (e.g. vegetation and forestry clearance, inappropriate cultivation techniques, over-grazing).
4. Soil damage or loss can limit the range of productive land uses that can be sustained. It can also release stored CO₂ into the atmosphere.²⁶ Storm events have led to significant erosion and damage to private property, linked in part to plantation forestry practices.²⁷ Activities such as aquaculture rely on clean coastal waters. Refer to regulation 6 of the NESPF (discussed below).
5. A number of studies and SOE monitoring reports highlight the significance of soil loss and sedimentation, and resultant effects on habitats and native fauna (see below).
6. As noted, several studies and SOE monitoring reports provide strong evidence of the effects of soil loss and sedimentation in the District. There is less information available on the extent of soil damage due to unsustainable land use practices.
7. There can be an economic loss when the productive value of soil is reduced over time. Sediment from erosion may affect stream and river channel stability and require additional flood protection measures. There are also significant costs associated with cleanups after events like ex-tropical cyclone Gita, which was exacerbated by sediment runoff and land slips.
8. Iwi assessment required, but assume high significance. Iwi management plans identify the need to protect soils and prevent fragmentation of agricultural land. Mahinga kai (food gathering areas) are also threatened by poor water quality and inputs of fine sediments to waterways and the CMA.

²⁶ <https://www.nzagrc.org.nz/soil-carbon,listing,484,management-practices-to-reduce-losses-or-increase-soil-carbon-stocks-in-temperate-grazed-grasslands-new-zealand-as-a-case-study.html>

²⁷ <https://www.stuff.co.nz/nelson-mail/news/101795591/forestry-under-fire-as-communities-left-in-shock-from-excyclone-gita?rm=m>

COMMENT:

National Directives:

The NPS-FM sets clear directives for Council to maintain and improve freshwater quality and in particular to control land uses, including urban development, vegetation removal, and plantation forestry to reduce sediment loads and discharge of contaminants.

In support, the NZCPS requires council to “Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment”. This includes impacts of activities that degrade freshwater quality ‘upstream’ of the coast, such as point and non-point discharges. With specific regard to sediment, NZCPS Policy 22 seeks to reduce sedimentation levels and impacts on the coast through controls on subdivision, use and development and vegetation removal (including harvesting plantation forestry).

The NES-PF sets conditions that plantation forestry activities must meet, including a number relevant to soil loss and sedimentation. The provision of setbacks for “replanting” and “afforestation” from rivers, lakes, wetlands, coastal areas and significant natural areas, to provide a buffer between forestry activities. These buffer areas can help avoid erosion of stream banks (amongst other effects). For harvesting, provision of a harvest plan can be requested by council to identify environmental risks, including erosion susceptibility and mitigation measures to be used. For earthworks, installation and maintenance of stormwater and sediment control measures can be required. There is the opportunity for Plan rules to more stringent than the NES-PF regulations, as set out in the NES-PF regulation 6 (1)-(3). They include: (a) an objective developed to give effect to the NPS-FM and any of policies 11, 13, 15, and 22 of the NZCPS 2010; (b) protection of outstanding natural features, landscapes and SNA’s; and (c) unique and sensitive environments (including SPG soils, geothermal and karst geologies, protection of public drinking water supplies and quarrying over shallow water tables).

TRMP Review 2019-2020:

TRMP Chapter 12 ‘Land Disturbance’ classifies two dominant land types, Land Disturbance Area 1 (LD1) and Land Disturbance Area 2 (LD2). LD2 covers the steeper highly erodible Separation Point Granite geology and LD1 covers the balance of the region, including karst geology areas and the Moutere gravel geologies. The LD2 rules set is more restrictive due to the highly erodible nature of the geology, while the LD1 rule set is more permissive. A review of the land disturbance rules was initiated in 2012 to address a number of gaps and inconsistencies within the TRMP, but it has not been completed and the issues remain current. The recent s35 evaluation report concluded that Chapter 12 is weak as a whole and the operative policies and rules are unclear and ineffective for delivering the outcomes sought in the TRMP.

The s35 evaluation report for Chapter 35 ‘Discharges to the Coastal Marine Area’ concluded that the issue of non-point source discharges from land use activities had not been well addressed through the TRMP. This includes sedimentation of rivers and streams from land development, which ends up being transported into the District’s coastal bays. The findings in other relevant s35 reports (Chapters 27 ‘Rivers and Lakes’, Chapter 30 ‘Taking, Using, Damming and Diverting Water’ and Chapter 33 ‘Contaminant Discharges’) reinforced this conclusion.

Waimea and Moutere Sediment Sources Study 2018:²⁸

The study found that sediment in the Waimea Catchment could be attributed to soil erosion following harvesting of pine forests and ‘legacy sediment’ from bank and hillside erosion. In the Moutere Catchment, sediment was found to be caused by river bank erosion, possibly attributable to hill-slope erosion following the removal of tree root boles and recontouring for conversion from pine to pasture. Further down the catchment sediment was linked to harvested pine forest, with only a small amount of pasture contribution. Almost 90 % of the sediment at the Moutere River mouth was identified as being of pine forest origin.

28 Gibbs, M. & Woodward, B. 2018. *Waimea and Moutere Sediment Sources by Land Use*. Prepared for Tasman District Council.

Health of Freshwater Fish Communities Monitoring Report 2018:²⁹

This report identified declining native fish populations in Tasman due to habitat disturbance, notably through land use change causing the degradation of fish habitat in waterways. Land disturbance and run-off, particularly through plantation forestry operations, roading and residential development, also causes sedimentation in waterways, which limits the ability of freshwater fish to see food to catch, therefore restricting feeding. Native fish species that are particularly sensitive to habitat degradation are typically absent from streams with high loads of fine sediment or little riparian vegetation. This indicates that these species may now be extinct in parts of the District.

State of the Bays Report 2016:³⁰

This study found that input of fine-grained sediment is a significant issue for Tasman and Golden Bay estuaries, with increases in sediment deposition being linked to human activity on land, including land use changes and disturbance. Re-suspension of settled sediment in the water column by ocean waves and currents is also an issue and possibly having a greater impact than new sediment input. It noted that increases in sediment deposition can drastically increase the amount of muddy habitat, which can reduce estuarine biodiversity with follow-on effects to the coastal food-web. Additionally, fine sediments in the sea reduce light levels, clog gills of shellfish, prevent plants and animals from settling, and bury organisms and habitat.

TDC River Water Quality SOE Report 2015:³¹

The 2015 monitoring report found that “The main threats to water quality and stream health in the Tasman District relate to the intensification of agriculture in the district and, to a lesser extent, the expansion of residential development... Sites with pastoral and urban land cover had higher concentrations of disease-causing organisms, greater quantities of deposited fine sediment and lower water clarity than sites with indigenous forest or exotic forest land cover. Focussing on the monitoring sites in pastoral catchments... 21% had excessive amounts of deposited fine sediment in the bed” (pp.2-4). A key recommendation of the report is to reduce fine sediment inputs to small streams, through limiting stock access and ensuring riparian buffers for earthworks and land cultivation.

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): Consider consolidating the issue of soil damage and loss with the issue of protection of high productive land (see issues 5.1,6.1 and 6.2).

Add New Issue: Incorporate consideration of climate change effects on soil damage and loss (e.g. more frequent and severe storm events and drought will result in soil damage and erosion).

29 McCallum, J. & James, T. 2018. *The Health of Freshwater Fish Communities in Tasman District 2018*. Tasman District Council, Richmond, New Zealand.

30 Newcombe E, Clark D, Gillespie P, Morrisey D, MacKenzie L 2015. *Assessing the State of the Marine Environment in Tasman Bay and Golden Bay*. Prepared for Nelson City Council and Tasman District Council. Cawthron Report No. 2716. 70 p. plus appendix.

31 James, T and McCallum, J 2015. *State of the Environment Report: River Water Quality in Tasman District 2015*. Prepared for Tasman District Council <https://www.tasman.govt.nz/my-region/environment/environmental-management/water/river-water-quality/water-quality/>

5.7 Pest Management

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.7 Management of significant animal and plant pest problems.	3	3	2-3	3	2-3	13-15	2	3	3

ASSESSMENT:

- Pest management is an issue that affects land, freshwater and the coastal environment.*
- The RMA gives both district and regional councils responsibility for maintaining indigenous biological diversity (ss 30 and 31), as well as safeguarding the life-supporting capacity of air, water, soil and ecosystems (s5(2)(b)). Pest management is relevant to a number of matters of national importance, particularly s6(c) “the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna”, but also s6(a) “preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins”, s6(b) “the protection of outstanding natural features and landscapes”, and s6(e) “the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga”. An NPS on Indigenous Biodiversity (currently at draft stage) will need to be given effect to in the TRPS when finalised.*
- Environment Aotearoa 2019 and the NZ Biodiversity Strategy 2020 highlight a serious decline in indigenous biodiversity with one of the main pressures being animal and plant pest infestations. A TDC Biodiversity Position Paper states that Tasman’s biodiversity is also likely to be in decline and invasive pests are a persistent threat.*
- Invasive pest species create conflict where they adversely affect the natural, cultural, economic, recreational and/or amenity values of land and water resources.*
- Pest have the potential to cause significant adverse effects on land and aquatic environments and there are a wide range of pest species spread throughout the District that require active management to eradicate, reduce or control. A warming climate paves the way for new species of pests as conditions become more favourable for them to establish.*
- There is a good knowledge of pest species and their distribution in the Tasman District. Impacts on biodiversity (and other) values is less well known.*
- Control of plant and animal pests by TDC requires significant resources in terms of developing and implementing pest management strategies and plans. Private landowners also incur costs of pest control and community organisations and voluntary groups devote considerable time, e.g. trapping rats and stoats, controlling pest vines such as old man’s beard and banana passionfruit. There is also the potential for loss of economic earnings due to the incursion of animal and plant pests.*
- The loss of indigenous biodiversity, including terrestrial, aquatic and marine habitats and ecosystems, due to animal and plant pests is identified in iwi management plans as a significant issue.³² Biodiversity decline can reduce mātauranga and the ability to practice customary use.*

COMMENT:

32 Ngati Koata No Rangitoto Ki Te Tonga Trust Iwi Management Plan (2002), Ngāti Tama ki Te Waipounamu Trust Environmental Management Plan (2018), Nga Taonga Tuku Iho Ki Whakatu Management Plan (2004), and Te Ātiawa Ki Te Tau Ihu Iwi Environmental Management Plan (2014).

Responsibility for pest management is spread amongst a range of statutes and policy documents, with regional councils taking a lead role. The primary legislation is the Biosecurity Act 1993, with the RMA also having a key influence.

Biosecurity Act and the RMA:

“Councils can use the Biosecurity Act to exclude, eradicate or effectively manage pests in its region, including unwanted organisms. They are not legally obliged to manage a pest or other organism to be controlled, unless they choose to do so. As such, the [Biosecurity] Act’s approach is enabling rather than prescriptive... The focus of the RMA is on managing adverse effects on the environment through regional policy statements, regional and district plans, and resource consents. The RMA, along with regional policies and plans can be used to manage activities so that they do not create a biosecurity risk or those risks are minimised. While the Biosecurity Act is the main regulatory tool for managing pests, there are complementary powers within the RMA that can be used to ensure the problem is not exacerbated by activities regulated under the RMA (RPMP 2019-29, pp.12-13).

Tasman Nelson Regional Pest Management Plan 2019-29 (RPMP):

Part 5 of the Biosecurity Act specifically covers pest management. Its primary purpose is to provide for harmful organisms to be managed effectively or eradicated. A harmful organism is assigned pest status if included in a pest management plan. The RPMP 2019-2029 provides a framework for management or eradication of specified organisms in the Tasman-Nelson region (TNRPM, p.13).

The RPMP lists pest species of plants, fungi, animals and fish under different management categories – exclusion, eradication, containment, sustained control, and site led. National Directives:

Policy 12 of the NZCPS requires regional councils to provide for the control of activities that could have adverse effects on the coastal environment by causing harmful aquatic organisms to be released or otherwise spread in or near the CMA, e.g. through the introduction of structures likely to be contaminated with harmful aquatic organisms, or the discharge or disposal of organic material from dredging, vessels or structures.

In managing the District's water bodies, the NPS-FM requires councils to develop objectives and policies to support a healthy ecosystem appropriate to each freshwater body type (river, lake, wetland, or aquifer). Matters to take into account include impacts of invasive species on ecosystem health.

The draft NPS on Indigenous Biodiversity identifies “pest vegetation or fauna incursions and changes that result in increased risk of incursions” as having an adverse effect on indigenous biodiversity. The draft NPS-IB sets out a range of objectives and policies to identify, protect and restore biodiversity values, and to improve the integrated management of indigenous biodiversity within and between administrative boundaries, including through regional biodiversity strategies. When finalised, the NPS-IB will need to be given effect to in the TRPS and pest management will be an important component of biodiversity protection and restoration efforts.

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change. This issue is relevant to pest management and how it affects indigenous biodiversity.

TDC Biodiversity Position Paper 2019:

Honey, M. (2019). Biodiversity Position Paper, pp.15-16: “Pest Management activity occurs in the District on a significant scale. It is the subject of a planning and reporting cycle in terms of the Biosecurity Act. The purpose of strategies/plans is eradicating / controlling or managing pests that have or can cause significant damage to the natural environment and to the region’s primary industries. Obligations primarily rest with the landowners. For example, for the 2017/18 reporting year, where the long-term aim is eradication, three of the 13 species have been eradicated (Hornwort, Phragmites & Senegal Tea). On all known sites, plant numbers have been reduced, but for some pests, new sites have been found and this may extend the time required for eradication. The resources (annual budget for 2018 – 2019 is \$540,000 for implementation of the Strategy) limit the number of pests that can be included and the work that is done.

Also, a large number of community groups are voluntarily involved in pest management, a few at landscape scale.

Despite the above, the reports indicate that biosecurity gains are limited. The regional reports give no indication of effects on biodiversity. The national reports on the state of New

Zealand biodiversity indicate that what pest management is being done is not enough”.

TRMP Review 2019-20:

The s35 evaluation report for Chapter 34 ‘Discharges to Air’ noted that the Resource Management (Exemption) Regulations 2017 have simplified and streamlined the regulatory regime for certain pest control agents used against vertebrate animals (such as rats, stoats and possums). The regulations exempt the discharge of brodifacoum, rotenone, and sodium fluoroacetate (1080) from the requirements of RMA s15, subject to conditions. Since the regulations were enacted, no applications have been received by TDC for the discharge of these agents, compared to the 2010-2017 period where 15 applications for often large-scale pest control operations were received (predominantly from DOC and TB Free NZ). With respect to pesticides, a review of consent data indicates pesticide use is increasing in the District, contrary to the TRMP objective to reduce pesticides. Permitted discharges (including agricultural, horticultural and forestry use of herbicides) is likely to account for a significant proportion of pesticide use in the District. Despite this, pesticide residues are not making their way into surface or groundwater to any notable degree, where water quality monitoring data is available.

Aotearoa NZ Biodiversity Strategy 2020:

This national strategy identifies historical and ongoing impacts of invasive pest species as one of the major reasons for biodiversity decline in NZ. Te Mana o te Taiao – ANZBS provides direction on how to respond to the pressures and issues facing biodiversity in Aotearoa New Zealand. Five outcomes describe what the strategy aims to achieve by 2050, including protecting and restoring biodiversity through pest control (amongst other actions).

Tasman Bio Strategy:

TDC is developing a strategy to provide direction and action priorities for biodiversity and biosecurity initiatives within the district, ranging from statutory plan provisions, asset management and service delivery to advocacy and advice. The Tasman strategy will be a regional response to the vision and goals set by the NZ Biodiversity Strategy 2020. The completion date for this work has been set to the end of August 2021. A draft BioStrategy will be made available for public comment by the middle of the 2021.

SOE Reporting:

Environment Aotearoa 2019: “The animals and organisms that humans have brought to New Zealand islands (intentionally and unintentionally) pose significant threats to native biodiversity in land, freshwater, and marine environments. The threats are from competition, predation, and diseases. New Zealand is considered one of the most invaded countries in the world. Non-native plant species outnumber natives” (p.23).

Tasman SOE data: “The Tasman state of environment reporting tells us that:

- Much of our land with high ecological value is privately owned with low levels of formal protection and that a significant number of threatened fauna and flora exist on this land.*
- Despite some targeted wins, invasive pests persist in threatening biodiversity...*
- Our lowland fresh water bodies and terrestrial areas are most compromised and at risk from human use and development.*
- Most of our wetlands are gone and those remaining have a low level of protection.*
- Our marine area is depleted.*
- We don’t know much about the overall health of our ecosystems and catchments due to lack of integrated catchment level assessment and monitoring, to date.*

As the Tasman SOE reporting presents a mixed and incomplete picture, apart from a few bright spots, it is likely, that in line with the national trend, biodiversity is in decline, i.e. not being maintained in Tasman as required by RMA s30 and 31 and TRPS high level general biodiversity objectives” (TDC Biodiversity Position Paper, p.1).

RECOMMENDATION:

Retain (with updates): *retain pest management as a regionally significant issue, but incorporate it under the issue of maintenance of biodiversity rather than as a stand-alone issue*

(see issue 6.3). Other forms of pest management (e.g. for economic reasons, such as control of TB and crop spraying) can be dealt with through other mechanisms such as the Resource Management (Exemption) Regulations 2017, Tasman Nelson Regional Pest Management Plan, and regional and district provisions in the TEP.

Add New Issue: *Incorporate consideration of climate change effects on this issue (e.g. increased plant and animal pests).*

5.8 Riparian Land Management

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.8 Riparian land management.	3	3	3	3	3	15	2	3	3

ASSESSMENT:

1. This issue affects all freshwater bodies across the district, including all lakes, rivers, wetland and springs.
2. Waterbodies and water are a high value natural resource with vital significance to both communities and businesses. The natural character of wetlands, lakes and rivers and their margins (refer Sec.35 report for chapter 8), and the relationship of Maori with their ancestral waters are matters of national importance (RMA s.6a and s.6e).
3. The natural character of waterbodies and their margins is under pressure from both urban and rural land uses. In some catchments there are minimal areas of riparian margin that have not been highly modified, particularly in lowland areas. The Section 35 evaluation for chapter 8 (Margins of waterbodies) identified that the TRMP implementation of policies for protecting natural character of waterbodies did not appear to be well provided for in rules or non-regulatory methods. There was inconsistency in waterbody setbacks across the TRMP, and rules and subsequent decisions on land use in margin areas tended to reflect other policy drivers, including recreation and natural hazards, rather than protection of natural character.
4. There is an ongoing resource use conflict over a number of aspects – including between the protection and enhancement of the natural character and biodiversity in riparian margins and their use for either urban or rural activities, as well as conflicts with other plan issues such as management of hazard from flooding and gravel extraction for aggregate use. A specific Council management question is whether adjoining land owners can continue grazing riparian margins that are in LINZ or Council control/management.
5. The health of riparian margins and their associated waterbodies is a fundamental part of protecting waterbody mauri and implementing Te Mana O Te Wai under the National Policy Statement for Freshwater Management. Healthy riparian vegetation is needed to shade waters to protect against high water temperature and excessive light and subsequent excessive plant growth, which affect water quality and waterbody health. They also provide food fall and habitat for both aquatic and riparian species. Riparian margins are also biodiversity corridors and offer ecosystem services such as entrainment of sediment and stabilisation of banks.
The health of rivers and their riparian margins has flow-on effects for the health of other waterbodies including lakes, wetlands, springs and estuaries and sea bed, particularly for native species habitat and migration. Conversely addressing this issue is likely to have a significant impact on land uses and activities currently undertaken within riparian margins.
6. The lack of knowledge of riparian values and management issues was recognised in the 2001 RPS and while gains have been made in some areas regarding riparian information, key tasks such as use and regular update of the Riparian Land Management Strategy did not occur (refer sec.35 report for TRMP chapter 8). A review is required to determine how greater progress can be made to further improve the information held and its accessibility for decision making.
7. The potential cost to the ratepayers, Council and/or LINZ could be very high given the poor state of many riparian margins from overgrazing, earlier removal of indigenous land cover, the cost to restore the land and vegetation, and the potential cost of ongoing pest plant management.
8. With the close connection of riparian margins to Te Mana o te Wai and the health of freshwater, mahinga kai, the coastal environment and biodiversity, riparian issues will have high iwi significance.

COMMENT:

National Directives:

The proposed NPS for Indigenous Biodiversity may influence management of riparian land.

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATIONS:

Retain (with updates): *Retain this issue as a standalone issue, but reframe in the context of Te Mana O Te Wai and reflect linkage with other freshwater and biodiversity management issues to ensure management is integrated, and includes consideration of freshwater values, biodiversity, public access and hazard management outcomes sought. Consider reinstatement of the use of the Riparian Land Management Strategy as a method to address this issue as it was intended to cover all relevant drivers and help direct and prioritise riparian management by Council. Rename and reframe issue to incorporate margins of coastal and freshwater bodies. Include provision for enhancement/restoration as well as protection. Incorporate consideration of climate change effects on this issue, including consideration for retreat / roll-back of coastal margin habitat. Ensure implementing strategies include natural character drivers, as well as other values (recreation, public access, cultural values).*

Add New Issue: *Incorporate consideration of climate change effects on riparian land management.*

5.9 Minerals

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.9 Accessibility of mineral resources.	1	1	1	2-3	1	6-7	1	1	2-3

ASSESSMENT:

1. It is not clear whether there is a widespread issue concerning accessibility of mineral resources in Tasman.
2. Accessibility does not in itself affect resources with high value; high value resources such as high productive land or indigenous forests may actually impede access to mineral resources by occupying the land above or blocking access to mineral locations. As noted in the TRPS, “Minerals do not exist in isolation from other resources; they may underlie outstanding landscapes, significant ecosystems, or land of high productive value” (p.50). Significant impacts on such high value resources could result from the effects of mineral extraction, which is a separate matter to the one addressed by Issue 6.9.
3. The extent to which access to mineral resources is being limited by other land uses, and therefore creating a pressure on mineral availability and extraction, is not clear.
4. There is potentially a significant conflict between providing for access to mineral resources and the loss of productive and other values of the land overlying the minerals.
5. In the absence of information about this issue, it is not clear whether inability to access mineral resources is a significant problem.
6. As above, more information is needed to assess the significance of this issue.
7. It is unclear whether there would be a high resource cost overall. Enabling access to minerals would provide an economic gain from their extraction and use. However, there could also be opportunity costs by preventing alternative land uses (e.g. agricultural, horticultural or forestry production) in order to retain access to mineral sites. Costs may also be associated with avoiding, remedying or mitigating the environmental effects of mineral extraction (e.g. loss of natural and other values, sedimentation of waterways).
8. Several iwi management plans note that access to toanga resources such as pakohe (argillite) and pounamu is a significant matter. Iwi management plans also commonly express concern at the adverse effects of mining on land, freshwater and coastal environments, and seek that mining is only undertaken using best practice and where values of importance to iwi are not compromised. Te Ātiawa Ki Te Tau Ihu Iwi Environmental Management Plan also identifies petroleum and mineral exploration as potential areas of economic activity for iwi, hapū and whānau.

COMMENT:

Legislation Governing Mineral Resources³³

The Crown Minerals Act 1991 governs the allocation of rights to prospect for, and mine for minerals in New Zealand (including the exclusive economic zone). Applications for prospecting and mining licences are processed by New Zealand Petroleum and Minerals. The Minerals Programme for Minerals (excluding petroleum) set out the policies and procedures followed for the allocation of mineral resources. The requirements to be met by permit holders are defined in the Crown Minerals Regulations.

33 <http://www.environmentguide.org.nz/activities/minerals/decision-making-framework/>; <https://www.nzpam.govt.nz/how-we-regulate/regulatory-environment/>

The RMA regulates the environmental effects of mineral extraction on land and within the territorial sea (within 12 nautical miles of the coast). Regional councils can require resource consent be obtained before exploration and mining-related activities can be undertaken.

If mining is more than 12 nautical miles from the coastline, a marine consent is required from the Environmental Protection Authority (EPA) under the Exclusive Economic Zone and Continental Shelf (EEZ) Act.

TRPS Integrated Management report:

A review looking at the degree of integration between TRPS issues, objectives and policies and related TRMP provisions found that TRPS Issue 6.9 has not been given effect to in the TRMP: “Minerals are referred to in TRPS Policy 6.2 and Objective 6.7. They are both concerned with ensuring the accessibility of mineral resources. In contrast there are no objectives addressing this matter in the TRMP and only one policy (7.2.3.2(f)). Instead, the TRMP is focused on the adverse effects arising from mineral extraction (e.g. Policy 12.1.3.4 and Objective 21.2.2(d))” (Mason, G. 2019. Stage 1 of Tasman Regional Policy Statement Efficiency and Effectiveness Review: Integrated Management, p.21).

RECOMMENDATION:

Review *the relevance of Issue 6.9 as a regionally significant issue. Consider whether access to minerals needs to be included under the issue of regionally significant infrastructure (e.g. in relation to access to rock, aggregate and sand as a construction material, or whether it can simply be addressed through regional and district provisions in the TEP.*

Consider also whether the matter of environmental effects of mineral extraction needs to be addressed under relevant RPS issues, e.g. high productive land, biological diversity, soil loss and damage, freshwater bodies, coastal environment, contaminant discharges, natural features and landscapes, and historic and cultural heritage values.

5.10 Water Allocation and Availability

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.3 Water allocation for urban growth.	3	3	3	3	3	15	2	2	3
7.1 Determining the allocation of available water.	3	3	3	3	3	15	1	2	3
7.3 Significant reduction in surface water and groundwater availability can occur through the establishment of tall vegetation cover or the growing of crops requiring irrigation water.	3	3	3	3	3	15	2	1	3

ASSESSMENT:

1. Every FMU (and water management zone within these) needs allocation limits to be determined under the NPSFM. This will need to include assessment of community supply needs. The wider issue of land use change affecting water availability and reductions in surface water also affects all FMU.
2. Waterbodies and water are a high value natural resources with vital significance to both communities and businesses. The natural character of wetlands, lakes and rivers (including their flows and hydrological processes – refer Sec.35 report for chapter 8), and the relationship of Maori with their ancestral waters are matters of national importance (RMA s.6a and s.6e).
3. Everyone uses water – whether this is as an abstractive user or as a user of water environments potentially impacted on by abstraction and use. Access to sufficient and secure water supplies is vital for both communities and businesses and there is often more demand than current allocation can provide for as evidenced by the waiting lists maintained in several FMU. In some water manage zones water is currently over-allocated (refer Sec.35 report for chapter 30). The use of abstracted water also has impacts where these uses create contaminant discharges that affect water quality (refer Sec.35 report for chapter 33).
4. The key issues in water allocation around competing water demands and competing water uses – including competing land uses which can influence availability for others
5. The consequence of getting this wrong is twofold – one is the potential for temporary and significant/irreversible effects on waterbodies (including aquifer) and secondly on community and business if water security is poor.
6. We have some information including estimated/modelled information on water demand and flows for determining water allocation, however this is inconsistent across the district at present and in some FMU we have no/poor information.
7. The cost for this issue is relatively low compared to other council costs – although we do need more funding of information gathering for allocation determination – by far the

larger cost is that to the community, businesses and environment of getting it wrong.

8. Water use is a highly significant issue for iwi – including access to water for development and use of settlement lands, perpetual lease land and for papakainga, and health of freshwater environments for a range of reasons.

COMMENT:

These issue statements require reframing. Te Mana O Te Wai requires the health of the waterbodies to come first in our management decisions. This highlights the need to ensure minimum flows are defined and protected before allocation of water can be determined and implemented and these issues need to be reframed in this context. The allocation of water resources to different uses is a complex issue, particularly where the resource is limited. This aspect needs further consideration beyond the first-in-first served approach historically taken.

National Directives:

NPS-FM, NPS-REG

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATIONS:

Retain (with updates): Reframe all freshwater issues in the context of Te Mana O Te Wai and add reference to default methods for determining allocation regimes.

Add New Issue: Incorporate consideration of climate change effects on this issue.

5.11 Freshwater Bodies

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
7.2 Protection of natural, recreational and cultural values of water bodies.	3	3	3	3	3	15	2	3	3
8.2 Protection of riverine ecosystems and instream values.	3	3	3	3	3	15	2	3	3

ASSESSMENT:

- There are a number of significant catchments in the Tasman District, as well as the Nelson Lakes.
- Preservation of the natural character of wetlands, lakes and rivers (and their margins), and the relationship of Māori and their culture and traditions with water are matters of national importance (ss6(a) & (e)). Te Waikoropupū Springs and parts of the Motueka and Buller Rivers are the subject of WCOs. The TRPS must give effect to the NPS-FM and associated regulations, and relevant parts of the NZCPS.
- Water resources are affected by both low flows/levels in summer leading to water shortages and rationing, as well as significant flooding due to storm events. Climate change is exacerbating these impacts. The quantity of wetlands in the District has shrunk considerably and those that remain have little or no protection.
- Significant demand for water comes from urban development and agriculture / horticulture. Adverse effects of these and use on water quality is also a significant issue, particularly with respect to sedimentation and contaminant discharges. Flood protection measures can also reduce the natural qualities of rivers if not done sensitively.
- There are a number of SOE reports by TDC outlining the condition of the District's water bodies. They show that there has been a deterioration in the health of water quality and associated habitats and native fish stock, particularly for small streams. This is linked to intensive land uses, including agriculture, horticulture and residential development, and related activities that lead to an increase in sedimentation, nutrient runoff and contamination of waterways. A loss of natural character associated with the margins of rivers has also occurred, due to historic vegetation losses and physical changes, such as channel straightening or erosion protection structures.
- The above SOE reports provide a useful picture of the health of waterbodies and the pressures on them. Some need updating as they are 5+ years old. The effect of low flows on riverine ecosystems and instream values is not well understood. Effects on natural, recreational and cultural values is perhaps less well studied / documented compared to ecosystem / instream values.
- Assume high cost due to opportunity cost to change land use management to ensure protection of margin land and cost of restoration of waterbodies]
- Water bodies have significant cultural and traditional value for Māori, including for food gathering. This importance is reflected in the Te Tau Ihu treaty settlements and in the requirement to protect te mana o te wai under the NPS-FM.

COMMENT:

These issue statements require reframing. Te Mana O Te Wai requires the health of the waterbodies to come first in our management decisions.

National Directives:

NPS-FM, NES-FW, NZCPS, NPSREG, RMA sec 6 matters

Climate Change:

RMA 1991 Section 6(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATIONS:

Retain (with updates): *Retain Issues 7.2 and 8.2 as regionally significant issues and reframe in the context of Te Mana O Te Wai and in conjunction with the riparian land management issue and water allocation. The need to protect the natural, recreational and cultural values of waterbodies is a key requirement of s6 of the RMA and must be given effect to under the NPS-FM and NZCPS. Add consideration of enhancement and restoration of waterbodies, as well as protection. Add reference to public access to the margins of waterbodies (as per RMA S6(a)).*

Add New Issue: *Incorporate consideration of climate change effects on freshwater bodies.*

5.12 Gravel Extraction from Rivers

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
8.4 Gravel extraction from rivers. [considered from a gravel resource perspective]	1	3	3	2	2	11	2	1	2-3

ASSESSMENT:

1. Gravel extraction is an issue in a number of Tasman District's river catchments, including the Motueka.
2. Gravel extraction can impact negatively on a number of matters of national importance, including the preservation and protection of the natural character of rivers and their margins (RMA s6(a)), the relationship of Māori and their culture and traditions with water (s6(e)), the management of significant risks from natural hazards (s6(h)), and the protection of the habitat of trout and salmon (s7(h)).
3. There is a strong demand for gravel for construction and roading, with overall demand outstripping sustainable supply. There is limited gravel available for extraction in Tasman and Golden Bay rivers due to the relatively low supplies of gravel (or bedload) entering from the headwaters. In general, Tasman rivers are recognised as being naturally degrading.
4. As above, there is a conflict between the limited availability of gravel, the high demand for its use in a range of activities that have public benefit, and adverse effects of over-extraction.
5. The removal of too much gravel can lead to river bed degradation, disturbance of riverine habitats, bank erosion and increase the risks of flooding downstream. It can also cause damage to river structures such as bridges.
6. A recent study (TDC, 2018)³⁴ examined the District's rivers at defined points to inform about long term trends in riverbed level and behaviour. The report noted that "We are fortunate in Tasman that our rivers have relatively low supplies of gravel (or bedload) and thus don't require intensive intervention to achieve stability". Extraction of gravel from land-based pits (as opposed to gravel extracted from the beds of rivers) is a less well understood issue and is not well regulated by the TRMP.
7. Assume low to medium cost to Council given gravel extraction for river stability is limited and the extraction is often carried out by private contractors for commercial use.
8. Iwi assessment required, but assume medium to high significance due to actual and potential effects on riverine environment. Iwi management plans identify concerns with the effects of gravel extraction on freshwater, coastal and land environments.

COMMENT:

National Directives: NPS-FM, NES-FW, RMA sec 6 matters

Climate Change: RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to

34 Giles, G. 2018. Tasman District Riverbed Level Monitoring Results. Tasman District Council.

climate change.

RECOMMENDATION:

Review: Consider removing Issue 8.4 from the TRPS as gravel extraction does not appear to be a sufficiently significant regional issue to be identified on its own. Instead, consider addressing it (e.g. as a policy) under:

(a) the broader regionally significant issue of freshwater management, in terms of effects on river ecology; and/or

(b) natural hazard management, in terms of river channel management and flood mitigation; and/or

(c) regionally significant infrastructure, in terms of its importance as a construction material.

Alternatively, simply address gravel extraction in the relevant District and Regional sections of the TEP (i.e. Parts 3 and 4).

Reframe all freshwater issues in the context of Te Mana O Te Wai.

Add New Issue: Incorporate consideration of climate change effects on this issue, e.g. with regard to the potential for changes in gravel volumes entering and moving through the District's rivers, and implications for gravel management.

5.13 Navigation Safety

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
8.3 Activities on the surface of waters of rivers and lakes. [considered from an amenity effects viewpoint]	2	3	1	2	1	9	1	1	3
9.2 Issues concerning boats: navigation and safety and facilities.	2	2	2	3	1-2	10-11	2	2	3

ASSESSMENT:

1. Issues of navigation and safety arising from the operation of craft is now significantly controlled through the Navigation and Safety Bylaw.
2. The location of structures within navigation routes within the CMA appears to be of low concern. The Harbourmaster holds powers under the Maritime Act to address navigational hazards and under changes to the RMA, MACA and Proposed Plan Change 72 Council also has the capacity to remove illegal structures.
4. At the time of development of the RPS there were significant issues with tourism (including tourist marine craft) operating within the Abel Tasman National Park. Since the notification of the RPS the Abel Tasman Scenic Foreshore Reserve Management Plan has come into effect. The management plan controls access to the beaches and marine structures on the foreshore adjoining the National Park.
5. Proposed Plan Change 72 introduces a new management system for moorings within Mooring Areas and the provisions for moorings outside of mooring areas has been amended to give effect to the NZCPS especially the provisions regarding avoiding effects and efficient use of space.
6. One Iwi organisation has requested that coastal structures should be associated with adjoining land ownership with ownership of the structure passing to the new owners of the property at time of purchase. Moorings for iwi have been raised in Iwi management plan, however, this was not a matter pursued by iwi through Plan Change 72.
7. New information arising from the landscape and natural character studies, as well as biodiversity material, may necessitate to areas that structures can locate.
8. Policy 23 of the NZCPS require port and marina operators to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of. There are no pump out facilities for marine sewage within Tasman with all sewage generated on boats are disposed of at sea. Fuelling facilities are provided in a few locations within Tasman (Tarakohe/Motueka/Kaiteriteri) with refuelling across the beach occurring at Kaiteriteri and potentially other locations. There are no facilities within Tasman for the safe maintenance of larger boats or containment of contaminants/ biofouling. There are a number of historic wharves which have fallen into disrepair. There is a needed to repair the wharves or remove the wharves for safety reasons, the wharves provide recreational opportunities for the community. Recreational demand for launching ramps/ marinas/ moorings/ wharves is expected to grow with the increase in population and interest in boating. The marine farm industry is currently in a period of high growth and this industry is also seeking an increase in marine facilities. Overall there is a high need for the strategic planning and provision of additional marine facilities locations within Tasman to enable access requirements to be meet and to reduce the environmental impact of boating on the CMA.

COMMENT:

TDC consolidated bylaw- chapter 5 and draft chapter 5a.

Able Tasman Scenic Foreshore Reserve Management Plan

MT act

MCCA Act.

National Directives: NZCPS, NPS-FM

Climate Change: RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Review: *Navigational safety has been adequately addressed through the navigational safety bylaw and legislation created since 1996 and should no longer be included as a regionally significant issue. Refocus 9.2 on the provision of strategic marine facility infrastructure to meet access and environmental requirements and other policy in the NZCPS. Consider the gap of environmental effects on waterbodies and aquatic and bird species from vessel noise, vibration and wake.*

Add New Issue: *Incorporate consideration of climate change effects on in relation to navigation safety (e.g. sea level rise and coastal hazards will damage and/or make redundant existing coastal structures in their present locations as a result of inundation and overtopping of waves).*

5.14 Coastal Environment

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
9.1 Lack of information on the coastal marine environment.	3	3	0	3	2	(NA)	2	3	3
9.3 Adverse effects of activities in the coastal marine area.	3	3	3	3	3	15	2	2	3
9.7 Adverse effects of land-based activities on the coastal environment.	3	3	3	3	3	15	2	2	3

ASSESSMENT:

1. The CE is of significance to all iwi under the settlement. The CMA is also subject to a number of CMT and is a source of kaimoana and income for iwi. The CMA is a shared resource and held in high value by all New Zealanders. There is the potential for the CMA to be degraded and exclusively occupied by private individuals, many derive their social and economic wellbeing from use of the CMA. The CE is central to climate change and Councils and the community's response to it. The protection of the natural and physical resources of the CMA is important.
2. A significant amount of information has been obtained over the years, however, due cost there remains a significant shortfall some information. Under the NZCPS we will require new information such as information on iwi values, surf beaches, vehicle access effects, effects on biodiversity and areas with potential for restoration etc
3. The effects of current activities on the environment are relatively well known, however, new and changing activities as well as the effects of climate change mean that a sustained effort is required to understand the effects of activities on the CMA. Provision may need to be included to protect and provide for CMT's.
4. Under the NZCPS and in accordance with statements issued from central government there will be greater importance placed on strategic planning within the CMA. As part of the current work streams Council is required to assess the appropriateness of (existing) activities within the CMA and this is likely this will be expanded to provide for future demand/ activities. This strategic planning ties in with the strategic planning required for marine facilities.
5. The NZCPS places emphasis on improving water quality through controlling sedimentation entering the CMA from Land. This TRPS issue is heavily entwined with the freshwater Management Unit work. Te mana o te wai consistency required
6. There are cross boundary issues with NCC, particularly involving the management of the Waimea Estuary and jointly shared sewage ponds.
7. Issue 9.7 needs to link with the land disturbance work as it has a connection to the land disturbance objectives and policies. Also connects to discharges to freshwater and to land where it can enter coastal waters.
8. Use of the CE for private / commercial activities such as aquaculture and fisheries has an impact on environmental qualities and the ability for others to use the space. Incorporate this matter into these issues (9.3) to replace the separate issue below (9.5).

COMMENT:

National Directives:

NZCPS: especially Objectives 1, 3 and 6, and Policies 1, 2, 3, 6, 7, 21, 22, 23.

RMA, all section 6 matters of national importance

Statutory acknowledgements

CMT applications

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): This issue needs to be refocused to reflect the directives from the NZCPS, iwi management plans and DOC. While Issue 9.1 lack of information is still an issue in the management of the coast, it is considered that this should be removed as it is not a regionally significant resource issue as such.

Include consideration of aquaculture and fisheries activities to replace Issue 9.5.

Add New Issue: Incorporate consideration of climate change effects on the coastal environment (e.g. ocean acidification, sea level rise, and more frequent and severe coastal hazard events).

5.15 Aquaculture and Fisheries

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
9.5 Legal constraints on the management of adverse effects of aquaculture and fisheries.	NA	NA	NA	NA	NA	NA	NA	NA	NA
<p>ASSESSMENT: 1–8. Legislative changes mean that the legal constraints that existed when the TRPS was first developed are no longer relevant. Regional Councils now have the ability to manage the adverse effects of aquaculture and a number of important Environment Court decisions have established the current aquaculture management framework in the TRMP which allows this to occur. A Court of Appeal decision also paves the way for fisheries activities to be prohibited in specific areas where they impact on marine indigenous biodiversity. Refer s35 report for TRMP Chapter 22 ‘Aquaculture’ (2020) and TRPS Statutory Obligations report (2019).</p> <p>COMMENT: Regional Councils retain primary responsibility for aquaculture planning and consenting including: – allocating coastal space; – administering existing coastal permits, including all pre-RMA marine farming licences, leases and permits; and – assessing the impact of a proposed aquaculture activity on fishing and fisheries resources.³⁵ Recent case law has determined that regional councils are able to control fisheries activities for the purpose of protecting marine biodiversity.³⁶</p> <p>RECOMMENDATION: Remove: Remove Issue 9.5 as a significant issue in the TRPS. Add aquaculture as a relevant consideration under the effects of activities in the coastal environment.</p>									

35 See MPI. 2011. *Aquaculture Legislative Reforms 2011: Guidance Overview*. <https://www.mpi.govt.nz/dmsdocument/15889/direct>

36 Attorney-General v The Trustees of the Motiti Rohe Moana Trust & Ors [2019] NZCA 532 [4 November 2019]

5.16 Coastal Natural Character

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.5 Urban expansion in areas of natural coastal character.	1	3	2	2	1	9	3	2	2-3
9.6 Identifying and maintaining the natural character of the coastal environment.	3	3	2	2	3	13	2	1	2-3

ASSESSMENT:

1. Urban development in areas of coastal natural character is only in discrete and limited locations, but has a noticeable potential impact (Issue 5.5). Urban development in many coastal locations is less significant than occurred previously due to implementation of the NZCPS, and with greater recognition of coastal erosion and inundation hazards. Conflicts in coastal areas as a result of urban development are complex, but again, spatially limited.
2. Preservation of the natural character of the coast is a Section 6(a) matter of national importance. It is also a requirement of the NZCPS Objective 2 and Policy 13. Policy 14 further promotes restoration or rehabilitation of coastal natural character.
3. Maintenance of natural character is important as it includes protection of both perceptual human-based values, and also biophysical values such as protection from disturbance and dredging and modification of the coastal margins.
4. Increasing pressure on the natural character of the coastal environment also occurs from increasing pressure from activities such as disturbance of birds from dog walking, freedom camping on the margins.
5. There are considerable areas of the coast that have degraded natural character. Restoration of coastal natural character is an issue (9.6). Under the existing TRPS there has been a decline in the natural character of some aspects of the coastal environment due to disturbance and modification. As a result, restoration has become more important.
6. Work is underway to identify the natural character of the coastal environment.
7. There can be a cost to council of constructing coastal protection works to protect urban assets, including infrastructure. More modest council resources are required to identify and assess coastal natural character.
8. Iwi assessment required, but assume moderate to high significance. The need to protect coastal natural character is identified in Ngāti Tama ki Te Waipounamu Trust's Environmental Management Plan.

COMMENT:

Overall, coastal natural character is of high significance, but is only adversely affected in small locations, and generally not where there is high or very high natural character.

National Directives:

NZCPS Objective 2 and Policies 13 & 14 require preservation and restoration of natural character, as follows:

Objective 6 - To preserve the natural character of the coastal environment through recognising the characteristics and qualities that contribute to natural character.

Policy 13 - Preservation of Natural Character, which requires avoiding adverse effects of activities on the natural character of the coast.

Policy 14 - Restoration of Natural Character, which promotes restoration or rehabilitation of the coastal environment, including through provisions in regional policy statements and plans.

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): *Reframe this issue with respect to the definition and requirements for natural character in the NZCPS. Include the enhancement and restoration of natural character in addition to protection. Consider merging Issue 5.5 with Issue 9.6, as urban development in the coast is one of many matters to be addressed in maintaining natural character.*

Expand issue to include natural character of freshwater bodies (if this is not addressed under the Freshwater issue). Refer s35 report for TRMP Chapter 8 'Margins of Rivers, Lakes and the Coast' and the NPS-FM.

Add New Issue: *Incorporate consideration of climate change effects on coastal natural character (e.g. increased erosion and inundation of coastal land).*

5.17 Public Access

Current TRPS Issue (by Topic)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
9.4 Private and public rights of access to coastal space. [coastal activities preventing public access or use of space]	2	2	2	3	3	12	2	2	3
9.9 Public interest in access to and along the coast. [providing for public access]	3	2	2	1	2	11	2	2	3

ASSESSMENT:

1. Private and public rights of access to and along the coast is an issue that effects the entire District. Certain activities (such as moorings and boat ramps) creates private rights over the public domain, restricting general public access.
2. Public access to and along the coastal marine area is recognised and provided for under section 6(d) of the Resource Management Act. The NZCPS 2010 (Policy 3.5.2 and Policy 3.5.3) seeks to maintain and enhance public walking access to, along and adjacent to the coastal marine area, except where a restriction is necessary (such as public safety concerns or environmental protection). There is some concern that negative impacts can and do occur due to private and public rights of access to and along the coast. This includes effects on natural character, ecosystems, heritage, amenity and damage and loss of waahi tapu.
3. Public access is largely provided to and along the coastal marine area, including for craft on the water, vehicles on beaches, and walking and cycling access. There is some concern that negative impacts can and do occur due to private and public rights of access to and along the coast. This includes effects on natural character, ecosystems, heritage, amenity and damage and loss of waahi tapu.
4. Private and public rights of access to the coastal space, is a conflict. Further, coastal structures such as marinas, slipways, wharves, piers, boat ramps and jetties give rise to issues such as physical obstruction for migratory pathways, loss of habitat and adverse effects on indigenous species.
5. The extent to which public access is restricted, varies according to the private authorised activities, and the activities which members of the public may want to undertake in that location. For example, the occupation of space by marine farms restricts public access. Initiatives, such as the creation of the Great Taste Cycle Trail and other walking and cycling infrastructure has enhanced public access to the coast, resulting in positive social effects.
6. Between the years 2010 to 2019, thirty two resource consent applications were received by Tasman District Council for activities to improve coastal access for pedestrians, cyclists, boats and vehicles. The majority of these related to provision of walkways and cycleways, including through consents to install or upgrade boat ramps, jetties and wharves (both public and private), and consents for vehicle access related to water taxi's crossing the foreshore at Marahau to launch and retrieve boats, and access for logging operations at Ferry Point, Collingwood.
7. Coastal erosion and sea level rise reduce access along the coast. This issue demands TDC resources. Council's response to coastal erosion and sea level rise is likely to include

prohibition of subdivision in low lying areas. This will significantly reduce the opportunities for provision of public access to the coast. Alternative mechanisms may be needed.

8. The coastal marine area is encompassed within the definition of waahi tapu, and is therefore considered to be of significance to iwi. The Ngati Tama Iwi Management Plan discusses coastal access, stating that their aspiration is to maintain their traditional relationships with coastal sites. The Ngati Tama Iwi Management Plan also states that they would like to participate in planning processes relating to improved access to the coastal environment, work with statutory authorities and interest groups to raise awareness of the importance of the coastal environment to whānua, and work with statutory authorities to identify areas where coastal development will take place, to ensure whānua have continued access to mahinga kai resources¹⁴.

COMMENT:

National Directives:

RMA sec 6 matters of national importance, notably s6(d) regarding the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): Retain the issue of private and public rights of access to and along the coastal space, and consolidate the two issues into one concise issue statement.

Add issue of public access to and along freshwater bodies as a matter of national importance (RMA s.6(d)), including the relationship of Māori with water (RMA s.6(e)) and access to mahinga kai.

Include access to both Māori and non-Māori historic and cultural sites within waterbody margins, and access to reserve areas and national parks.

Consider linkages with access to natural, and Māori and non-Māori historic and cultural sites that are not associated with waterbodies, or consider expansion of this issue to cover all aspects of public access.

Add New Issue: Include consideration of climate change impacts on public access, directly through erosion and inundation, and indirectly through reduction in development opportunities in coastal areas.

5.18 Contaminant Discharges

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.5 Management of the adverse effects of contaminants arising from land use activities, on water and soil quality.	3	3	3	3	3	15	3	2-3	3
7.4 Effects of contaminant discharges on water quality.	3	3	3	3	3	15	3	2-3	3
9.8 Maintenance and enhancement of coastal water quality.	3	3	3	3	3	15	2	2-3	3
10.1 Industrial, agricultural or urban effluent discharges to water and air. [Generally point source, e.g. stormwater, sewage, dairy shed / piggery effluent, industrial waste discharges, boiler emissions].	3	3	3	3	3	15	2	2-3	3
10.2 Agricultural, forestry and other industrial discharges to land. [e.g. wood & fish processing waste, dairy shed / piggery effluent].	3	3	3	3	3	15	1-2	2-3	3
10.3 Diffuse source discharges from land use activities to land, water and air. [e.g. agrichemicals, fertiliser, stock effluent, emissions from fires].	3	3	3	3	3	15	3	2-3	3

10.4 Legacy of contaminated sites in urban and rural settings.	3	3	3	3	3	15	2	2-3	2
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ASSESSMENT:

- Discharges to land, air, and water (fresh and coastal) are generally widespread across the District, in both urban and rural areas, and involve a wide range of urban, rural and marine activities.
- The RMA requires the life-supporting capacity of air, water and soil to be safeguarded (s5); s6(a) requires the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins; s7(f) requires particular regard for the maintenance and enhancement of the quality of the environment. National directives to be given effect to include NPS-FM, NZCPS, NPS-UD, NES-AQ and the NES-CS.
- Evidence from SOE monitoring (locally and nationally) shows that contaminant discharges are degrading water and air quality and causing soil damage and loss (e.g. discharges from forestry on erosion prone geology). These are sensitive receiving environments that are already under pressure from other factors, including farming and horticultural activity, urban growth, home heating during winter months, and the effects of climate change.
- Contaminant discharges can impact on a range of uses and values for air, land and water, e.g. ecological, cultural, economic and aesthetic. They can also have a significant impact on human health.
- Freshwater: SOE monitoring shows that there has been a deterioration in the health of water quality and associated habitats and native fish stock, particularly for small streams. This is linked to intensive land uses, including agriculture, horticulture and residential development, and related activities that lead to an increase in sedimentation, nutrient runoff and contamination of waterways (refer s35 report for TRMP Chapter 33 'Discharges to Land and Freshwater').
Coast: Marine farm discharges account for the bulk of consented discharges to the CMA. Monitoring by marine farms shows generally acceptable effects on the environment. Overall, any negative effects tend to be localised, variable between mussel farms, and dependant on the time of the year, tides etc. Overall the effect of aquaculture activities on Tasman and Golden Bays is considered to be minor at this stage of development. Contamination from other types of discharges appears to be low in coastal waters of the Bays, but occasional peaks do occur, e.g. faecal indicator bacteria in Tasman Bay increase during high river flows. Overall, chemical contamination occurs at low levels and many sources are reducing, although there is some localised contamination. Non-point source contamination is a significant issue for the CMA, e.g. input of fine-grained sediment Tasman and Golden Bay estuaries (refer s35 report for Chapter 35 'Discharges to the CMA').
Air: Exceedances of the NES Air Quality standard for PM10 in the Richmond airshed has reduced from 40 in 2004 to four in 2019. However, there has been no significant decrease in median PM10 concentrations in Richmond from 2010 to 2019 and the airshed consistently exceeds the national standard for PM10. Additionally, winter concentrations of PM2.5 are high and have exceeded health guidelines on numerous days each year since monitoring began in 2015. The burning of vegetation waste associated with rural industries (e.g. forestry, horticulture, orchards) and lifestyle blocks contributes to poor winter air conditions, which in turn generates a significant number of complaints (refer s35 report for Chapter 34 'Discharges to Air').
Discharges have a high cumulative effect.
- SOE information is available for fresh and coastal water in Tasman District, air quality in Richmond, and ongoing identification of contaminated sites (using the HAIL register). There is also considerable national SOE information which assists with highlighting overall trends in environmental quality. There is limited information on the state of the land resource in Tasman (including soils) and some of the SOE reports are 5+ years old and in need of updating.
- Costs can be wide ranging depending on the issue (e.g. nature of the discharge and the effects on the sensitive receiving environment) and can be borne by public or private resources to address. Costs can include preventing discharges from occurring (e.g. fencing waterways and planting riparian margins), remediating contamination (e.g. site

remediation for contaminated land to enable housing development), or mitigating contamination (e.g upgrading home heating to ultra-low wood burners). Contaminant discharges can also have adverse effects on human health which results in hospital admissions and medical expenses.

8. Effects of contaminant discharges on land, air and water is of high significance / concern to iwi, as detailed in the relevant iwi management plans.

COMMENT:

National Directives:

The NZCPS requires councils to recognise the importance of the coastal environment for communities' economic, social and cultural wellbeing, while at the same time preserving and restoring natural character, enhancing coastal water quality, and reducing the impacts of contaminant discharges and sedimentation. Upholding the principles of The Treaty of Waitangi and ensuring Māori are able to fulfill their kaitiaki and customary roles is also an important requirement.

Under the NES-CS, land is considered to be potentially contaminated if an activity or industry on the Hazardous Activities or Industries List (HAIL) has been, is, or is more likely than not to have been undertaken on that land. Common past activities and industries that have led to the creation of contaminated sites in New Zealand are the manufacture and use of pesticides, the production of gas and coal products, the production, storage and use of petroleum products, mining, timber treatment, and sheep-dipping.

Regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. To fulfil this function, most councils (including TDC) maintain a contaminated sites database. The Council has undertaken a plan change (PC38) to implement the requirements of the NES-CS. The NES-CS applies to adverse effects of contaminants in soil on human health arising from subdivision, land-use change, soil disturbance, soil sampling, and removing fuel storage systems. It does not apply to effects of contaminants on the environment. Councils may impose additional controls under the RMA to address any potential or actual effects on the environment.

Air quality is regulated by the NES-AQ which aims to set a guaranteed minimum level of health protection for all New Zealanders. The NES focuses on banning activities that discharge significant quantities of dioxins and other toxics into the air, ambient (outdoor) air quality, regulating wood burners in urban areas, and collection of GHG emissions from landfills (over 1 million tonnes of refuse).

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): Retain contaminant discharges as a suite of regionally significant issues. The issues should be separated into land, water, and air contaminant discharges, and consolidated and updated within each portfolio. While the RPS issues for contaminant discharges share similar conflicts, these should be addressed separately across the respective portfolios that reflect the structure within the TEP, to enable clear line-of-sight between the RPS and regional objectives and policies.

Freshwater issues should be reframed in the context of Te Mana O Te Wai and consider adding a reference to recognise that effects of contaminant discharges can be widely dispersed rather than localised (e.g. land disturbance activities causing soil loss leading to higher sediment loads in streams and rivers, which is then deposited in the CMA).

Add New Issue: Include consideration of climate change impacts on contaminant discharges (e.g. increased sedimentation due to more storm events, contribution of GHGs from industrial discharges, etc).

Note that Issue 6.5 has links to land disturbance activities.

5.19 Waste Management

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
10.5 The effects of generating and disposing of contaminant wastes.	3	1	3	3	3	13	3	3	3
10.6 Minimising the amount of waste generated.	3	1	3	3	3	13	3	3	3

ASSESSMENT: *Note: the assessments reflects both the effects of contaminant generation from the waste stream and any minimisation processes, as they are connected.

1. Generation of waste-streams is a widespread issue across the Tasman District Community.
2. Contaminated waste streams could negatively impact the environment, including soil and water health.
3. The waste stream may have resources that could be conserved by improved recycling or reuse
4. Resource conflict with concerns about locations of landfill options and the impact on the land and water and sites
5. The impact of poor wastewater management could have a high adverse impact on the environment and the freshwater resource, particularly were this might involve long term or irreversible contamination - for example contamination of aquifer resources
6. Science and knowledge around legacy sites and placement and management of land fill sites. Evidence and knowledge of the research that has gone in the Waste Minimisation Act. Conflict over siting of landfill facilities, issues with old legacy sites needing clean up and impacting the environment with leached contaminants
7. Potential for high cost from leaching of contaminants to water, aquifers or coastal environment. Costs to council/environment when individuals and or companies beach trade waste conditions and damage wastewater treatment infrastructure and the environment.
8. Likely to be significant for iwi, especially where there is potential for contamination of freshwater, the coastal environment and CMA. Noted in MDC process as an RPS significant issue for iwi.

COMMENT:

“The Nelson City Council and the Tasman District Council, the councils, have a statutory responsibility to promote effective and efficient waste minimisation and, for this purpose, to adopt a waste management and minimisation plan. As required by the Waste Minimisation Act 2008, the two councils jointly carried out a waste assessment in 2017. A combined working party of councillors from both councils determined in early 2018 that the 2012 plan was still largely fit for purpose, with some amendments. This Plan was developed on that basis.” 2019 joint WM Plan

ref. [Revealed: The companies dumping contaminants down the drain | Stuff.co.nz](#)

“To be honest ... it annoys us greatly,” Local Government New Zealand (LGNZ) principal policy adviser Mike Reid says.

He's explaining the loophole in the law that allows companies to get away with dumping their waste, knowing the council can't fine them and they're highly unlikely to face prosecution. Reid is frustrated that successive governments have failed to fix the error in the Local Government Act 2002 that prevents councils from enforcing their own bylaws with fines.

For the past 18 years, his organisation has written to every incoming local government minister urging an amendment to allow councils to issue fines to those that breach consents.

LGNZ president Stuart Crosby dispatched the latest letter just last month to Local Government Minister Nanaia Mahuta and Environment Minister David Parker and reminded them officials have been fobbing off concerns for 18 years.

Under the Waste Minimisation Act 2008 NCC and TDC have a joint waste management and waste minimisation plans (completed 2017) which are to be renewed and reviewed every 6 years.

NOTE: *Onsite wastewater discharges to land are dealt with in the contaminant discharge section*

Climate Change: *RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.*

RECOMMENDATION:

Retain (with updates): *issue to be retained as a regionally significant issue, but amended to reflect current context, language and scope*

Add New Issue: *Incorporate consideration of climate change in relation to waste management (e.g. landfills produced GHG emissions which contributes to global warming; sea level rise and more frequent and severe storm events may expose existing closed landfills in low lying coastal areas and on river margins).*

5.20 Natural Hazard Management

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.2 Managing natural hazard risks to urban growth.	3	3	3	3	3	15	3	3	3
8.1 River channel management and flood mitigation.									
11.1 Avoidance or mitigation of flooding.									
11.2 Avoidance or mitigation of coastal erosion.									
11.3 Effects of sea level rise.									
11.4 Avoidance or mitigation of land instability and structural risks from slope or ground failures and earthquake shaking.									
11.5 Avoidance or mitigation of risks of fire.									

ASSESSMENT:

1. Large areas of the District are susceptible to a range of natural hazards including coastal inundation and erosion, flooding, landslides and debris flows, earthquakes and liquefaction, wild fire, and tsunamis. Climate change will increase the frequency and severity of weather-related natural hazard events and cause sea levels to rise.
2. Natural hazard events have the potential to cause damage or destroy District's natural and physical resources of high value. Damage can be temporary (e.g. river flooding on high productive soils) or permanent (e.g. coastal hazards and sea level rise effecting archaeological sites; or erosion along the coast, lakes or rivers which results in loss of public access to these areas). Conversely, efforts to manage natural hazards (such as structures and river works) can have adverse effects on the districts natural resources such as impacts on the natural character of waterbodies, as well as potentially affecting the relationship of Maori with their ancestral waters - both of which are matters of national

importance (RMA s.6a and s.6e).

3. *Natural hazards become a risk when they have potential to impact on people, property, and the things that we value. Many of our communities are located on river plains, at the coast, or on the hills, and may be subject to natural hazard risks. As Council gains more knowledge and understanding of the District's natural hazards, the focus is to ensure that new development avoids or mitigates natural hazard risks. However, there remains a risk where existing development is located in areas subject to natural hazards.*
4. *Resource use conflict occurs because some of the District's most desirable areas to live (river plains, the coast, and hills) are subject to natural hazards. Council takes a risk-based approach to natural hazards management and avoids or mitigate the risk as appropriate. While extreme natural hazard events (e.g. extreme flooding or a major earthquake) are rare, they have the potential to cause significant damage to the District and our communities.*
5. *Depending on the type of natural hazard event and its severity and magnitude, damage to the District and our communities can range from minor impact through to large-scale, irreversible damage. Climate change will increase the frequency and severity of weather-related natural hazard events, including rising sea levels.*
6. *Council holds a range of natural hazards technical information (e.g. flood models, coastal hazards, geological information) and has an ongoing programme of work to gain further information and a better understanding of our natural hazards.*
7. *Natural hazards can require high levels of both public and private resources to address, both in relation to mitigating hazard risks at the time of new development (and ongoing maintenance costs such as for stopbanks or sea walls), and recovering from natural hazards events (e.g. cleaning up after an event).*
8. *Natural hazards have the potential to significantly damage or destroy sites or items of significant value to iwi (including wahi tapu and taonga), in addition to land which is in iwi ownership. For example, cultural heritage sites and low-lying land in iwi ownership that is located at the coast will be vulnerable to coastal hazards and sea level rise. Further, efforts to manage natural hazards (such as structures and river works) can have adverse effects on the natural character and mauri of waterbodies, potentially affecting the relationship of Maori with their ancestral waters (a matter of national importance - RMA s.6e).*

COMMENT:

National Directives:

RMA 1991 Section 6(h) requires councils to recognise and provide for the management of significant risks from natural hazards, as a matter of national importance. Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

The s35 report for Chapter 13 Natural Hazards provides further details on the District's natural hazards and the effects of climate change (in relation to weather-related natural hazards events and sea level rise). Collectively, the management of natural hazards remains a significant resource management issue in the District.

RECOMMENDATION:

Retain (with updates): *the topic of natural hazards is to be retained as a regionally significant issue, but consolidate the current suite of issues and amend to reflect the current context and emerging matters. This includes Issue 8.2 regarding flood management in rivers and their margins to be reframed in the context of Te Mana O Te Wai.*

Add New Issues *to better consider the effects of climate change on weather-related natural hazards, and the need for community resilience.*

5.21 Hazardous Substances

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
11.6 Avoidance or mitigation of risks from hazardous substances storage, use, disposal situations.	2	3	1	2	2	10	2	1	2-3
12.3 Risk of contamination from radioactive material.	NA	NA	NA	NA	NA	NA	NA	NA	?

ASSESSMENT:

1. According to the TRPS, "A wide range of materials is imported into the District, and stored or used in industrial, service or rural situations, including petroleum products, industrial chemicals, pharmaceuticals and agrichemicals" (p.133). However, the role of the RPS in managing risks of hazardous substances has been reduced with the introduction of HSNO and HSW legislation (discussed below).
2. Hazardous substance misuse, spills or accidents have the potential to impact on land, waterways and/or the coast, and cause damage to terrestrial or aquatic habitats.
3. Historically, there has been a high use of pesticides and other agrichemicals in Tasman, particularly on orchards.
4. Siting of storage facilities for hazardous substances could create conflict with adjoining land uses. Properties that have experienced historic contamination may have limited land use options without appropriate remediation work. There are also public concerns over the use of agrichemicals and their effects on the environment, and human and animal health.
5. A 2003 survey³⁷ found concentrations of arsenic in soils at some historic orchards exceeded the Ministry for the Environment's residential soil guidelines. TDC's 2015 State of River Water Quality Report³⁸ found very low concentrations of pesticides in seven of the 15 groundwater bores sampled as part of a national 4-yearly programme. A national programme³⁹ found that 8 out of 22 bores tested (36%) had detectable levels of pesticides, which was an improvement on the previous 2014 survey. The level of pesticides were well below the maximum acceptable values. (Refer s35 evaluation reports for TRMP Chapters 33 'Contaminant Discharges' and 34 'Discharges to Air'). There is a legacy of

37 Gaw, S. K. (2003): Historic Pesticide Residues in Horticultural and Grazing Soils in the Tasman District.

38 James, T and McCallum, J 2015. *State of the Environment Report: River Water Quality in Tasman District 2015*. Prepared for Tasman District Council. <https://www.tasman.govt.nz/my-region/environment/environmental-management/water/river-water-quality/water-quality/>

39 Close, M. & Humphries, B (2019). *National Survey of Pesticides and Emerging Organic Contaminants (EOCs) in Groundwater 2018*. ESR report for regional councils CSC19016. https://research.esr.cri.nz/articles/National_survey_of_pesticides_and_emerging_organic_contaminants_EOCs_in_groundwater_2018/9937304

contaminated sites in the Tasman District from a range of land uses, particularly orchards (see Contaminant Discharges). The National Environmental Standard for Contaminated Soils (NES-CS) regulates land uses on properties that are potentially contaminated (discussed below).

6. As noted, there is information about the effects of pesticides on water quality for a limited number of sites and arsenic levels at some historic orchard sites. Potentially contaminated land has been identified by risk associated with historical land use (HAIL sites, discussed below). There is limited information on the state of the land resource in Tasman (including soils) with respect to effects of hazardous substance use.
7. Regulating hazardous substances under the RMA does not create a high resource or financial cost to council. There is a cost to private landowners who need to undertake remediation of contaminated land.
8. Effects of hazardous substances on land, air and water is of significance / concern to iwi, as detailed in the relevant iwi management plans.

NB: Issue 12.3 has been assessed as 'not applicable' because there is little risk posed to the District from radioactive material. The risk of contamination from radioactive material is also not raised as an issue in iwi management plans. The use of radioactive material is governed by legislation other than the RMA (discussed below).

COMMENT:

Hazardous Substances - Legislative Amendments:

Some existing RMA controls on hazardous substances duplicate or increase those in place under the Hazardous Substances and New Organisms Act 1996 (HSNO), which regulates the management, disposal, classification, packaging and transport of hazardous substances, and the Health and Safety at Work Act 2015 (HSW), which establishes workplace controls for hazardous substances. Consequently, the explicit function for councils to control hazardous substances has been removed from RMA ss30 & 31. The intention is that in most cases HSNO and HSW controls will be adequate to avoid, remedy or mitigate adverse environmental effects (including potential effects) of hazardous substances.

However, Councils still have a broad function of achieving integrated management, and may use this function to place extra controls on hazardous substance use under the RMA, if existing HSNO or HSW controls are not adequate to address the environmental effects. Areas where the RMA may still be applied to hazardous substances include:⁴⁰

- Managing the establishment of hazardous substances/facilities adjacent to and within sensitive environments to ensure acceptable levels of risk of off-site adverse effects.
- Avoiding location of activities which use hazardous substances in areas subject to natural hazards.
- Managing discharges of hazardous substances/contaminants to land, water and air.
- Controlling hazardous substances that are not covered by HSNO (as the RMA definition is broader and encompasses a wider range of substances and hazardous properties, than under HSNO).

Hazardous Substances – National Directives

The NES-CS ensures that land affected by contaminants in soil is identified and assessed before it is developed. Under the NES-CS, land is considered to be potentially contaminated if an activity or industry on the Hazardous Activities or Industries List (HAIL) has been, is, or is more likely than not to have been undertaken on that land. The NES-CS applies to adverse effects of contaminants in soil on human health arising from subdivision, land-use change, soil disturbance, soil sampling, and removing fuel storage systems. It does not apply to effects of contaminants on the environment. Councils may impose additional controls under the RMA to address any potential or actual effects on the environment.

Hazardous Substances - TRMP Review 2019-2020:

40 From the Quality Planning website. 2019. Hazardous Substances Under the RMA. <https://www.qualityplanning.org.nz/node/695>

The s35 report for Chapter 5 'Site Amenity Effects' concluded that "there is a high level of protection against the potential adverse effects arising from hazardous substances. The Council has rules and consent processes that enable a high level of confidence... Due to duplications of regulation there are significant requirements on industries and users of hazardous substances. In light of recent amendments to the RMA that remove the requirement for Council's to regulate hazardous substance storage and use, it will be necessary to reassess and rationalise the controls that are retained in the TRMP so that they remain appropriate and efficient. It is anticipated that the policies that remain will be more environmentally effects-based and focus less on the process and requirements for storage and use of substances".

The s35 review of Chapter 23 'Natural Hazards and Hazardous Substances in the CMA' found that despite there being related rules there have been no resource consent applications in the past 10 years concerning hazardous substances in the CMA. The reason being that activities requiring consent are located above mean high water springs and therefore subject to land use (as opposed to coastal) provisions contained in Part II of the TRMP, notably Chapters 5 and 16.

The s35 review of Chapter 33 'Contaminant Discharges' assessed the provisions relating to contingency planning for accidental or emergency discharges, particularly of hazardous substances. It found that the requirement for contingency plans and environmental monitoring is a normal requirement of resource consents issued by the consents team and there are clear triggers for contingency plans in the matters relevant to the rules. Given the legislative changes it was also noted that the hazardous substances provisions in the TRMP need to be updated to ensure they focus on relevant environmental matters not covered by the other legislation, and that the hazardous substance provisions in other chapters of the TRMP may be better integrated into the contaminant discharges chapter.

Risk of Contamination from Radioactive Material

The TRPS refers to Issue 12.3 but there is no specific issue statement with that number. Objective 12.3 and Policies 12.3 and 12.4 indicate that the issue is concerned with: 1. the use of radioactive material for energy generation; and 2. nuclear powered or nuclear equipped vessels entering the waters of Tasman District. Both matters present a low risk to Tasman.

While there appears to be no prohibition against nuclear energy generation in NZ, there are legislative impediments. For example, under the Crown Minerals Act 1991 uranium is the property of the Crown where "it exists in its natural condition in land", and the 2013 Minerals Programme states that "Applications for permits for prospecting for, exploring for, and mining uranium and thorium minerals will ordinarily be declined."⁴¹ There is also a lack of political and public support for nuclear energy generation in NZ with the current Government's focus being instead on 100 per cent renewable electricity generation by 2035.⁴²

Additionally, the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987 prohibits visits from nuclear powered vessels, and warships and aircraft carrying nuclear armaments. It also prohibits the stationing, testing manufacture, acquisition, possession and control over any nuclear armament. Biological weapons are similarly prohibited under the Nuclear Free legislation. The nuclear Test Ban Act 1999 prohibits the carrying out of any nuclear weapon test explosion or any other nuclear explosion. The legislation governing the environmental and health effects of ionising radiation has recently been changed with the new Radiation Safety Act 2016 replacing the former Radiation Protection Act 1965. The new Act covers the use of radiation for a variety of purposes, including:

- medical diagnosis (x-rays, nuclear medicine, MRI, pathology testing) and therapy (medical linear accelerators, surgical lasers);
- industry (radioactive gauges, cutting lasers);
- research (DNA forensic testing, genetic engineering)

41 <https://www.nzpam.govt.nz/assets/Uploads/our-industry/rules-regulations/minerals-programme-2013.pdf>

42 <https://www.stuff.co.nz/business/industries/100468448/from-uranium-to-nuclear-plants-new-zealands-secret-nuclear-past>

- entertainment (display lasers); and
- consumer products (smoke alarms).⁴³

RECOMMENDATION:

Remove hazardous substances (both Issues 11.6 and 12.3) as a significant issue in the TRPS. Management of risks associated with hazardous substances is now largely administered under legislation other than the RMA. Consider covering hazardous substance matters that remain relevant to the RMA (notably their environmental effects) under the contaminant discharge issue and/or in the District and Regional sections of the TEP (i.e. Parts 3 and 4).

43 <https://www.health.govt.nz/system/files/documents/information-release/radiation-regulation-review-2002.pdf>

5.22 Energy

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
12.1 Environmental effects of energy resource development.	2	3	2	3	3	13	3	2	3
12.2 Promotion of efficient energy uses.	3	3	2	3	3	14	2	2	3

ASSESSMENT:

1. Energy is required for the entire District to function. It is vital to the wellbeing of the community and the maintenance and development of the District's economy. The generation and use of energy can result in both positive and negative environmental effects (such as hydropower, which results in no emissions, but can result in adverse effects on river flows, fish passage and amenity).
2. Section 7 of the Resource Management Act provides for the efficiency of the end use of energy, the efficient use and development of natural and physical resources, the effects of climate change and the benefits to be derived from the use and development of renewable energy. The National Policy Statement for Renewable Energy Generation 2011 (NPS-REG), requires council to provide for renewable electricity generation activities. The New Zealand Coastal Policy Statement 2010 (NZCPS), contains provisions for recognising and providing for renewable energy and energy transmission. The National Environmental Standards for Electricity Transmission Activities 2009, sets out a national framework of permissions and consent requirements for activities on existing electricity transmission lines.
3. Certain energy generation activities can result in significant uses of the District's natural and physical resources that may cause significant adverse effects, if not managed carefully.
4. The generation, transmission and use of energy can result in significant conflicts in resource use. For example, hydropower and the effects on river flow, fish passage and the potential visual impact.
5. Efficient energy uses can contribute to lowering New Zealand's greenhouse gas emissions, and increase energy security (by promoting a range of energy sources). However, renewable energy (such as hydropower, wind power, solar power) can have negative environmental impacts, such as adverse visual effects, effects on fish, noise and river flow changes.
6. A recent Energy Audit of Council's electricity accounts and vehicle fleet provides insight into Council's own promotion of efficient energy uses. MBIE released a discussion document on accelerating renewable energy and energy efficiency (dated December 2019)²¹. This discussion document provides evidence of the government's goal to provide more efficient energy. The Renewable Energy Assessment prepared by SKM in July 2006 provides information on the Districts potential to utilise energy efficient methods, and discusses the potential environmental effects arising from the same.
7. Existing and new energy generation is provided by external providers. Council do, however, put resources into ensuring that Council are promoting efficient energy uses (utilising renewable resources for our own facilities and providing information to home owners on energy efficiency).
8. The Ngati Koata No Rangitoto Ki Te Tonga Iwi Management Plan does not specifically identify energy uses as being significant, however, they do identify resources that are used to generate, or may be effected by the generation of energy, as being significant issues. The Ngati Tama Environmental Management Plan sets out their aspirations,

issues, actions and indicators for energy. This includes aspirations to research and develop alternative energy generation to support sustainable energy use; and identifying that energy generation can contribute to high emission levels and long term effects on climate change and Ngati Tama cultural values.

COMMENT:

National Directives:

The NPS-REG recognises the contribution renewable electricity generation makes in addressing two major energy challenges faced by NZ: 1) responding to the risks of climate change by reducing greenhouse gas emissions caused by the production and use of energy; 2) delivering clean, secure, affordable energy while treating the environment responsibly. Currently, no TRPS objectives or policies explicitly promote or require the development of renewable electricity activities, although it does acknowledge the District's potential for hydro, solar and wind generation in its introductory text (at pp. 63 & 141). Similarly, a review of the TRMP found that renewable energy is not promoted in any objective or policy.

Additionally, Objective 6 and Policy 6 of the NZCPS recognise that the coastal environment contains renewable energy resources of significant value, e.g. marine energy.

Climate Change: RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change. In support, the Climate Change Commission's recent report,⁴⁴ outlining advice on the first three emissions budgets and the Government's first emissions reduction plan, stresses the importance of renewable electricity generation in NZ meeting its GHG emissions reductions. The Commission states that "Aotearoa will need to maximise the use of electricity. This means generating and using more low emissions electricity for vehicles and for process heat. Building more renewable generation such as wind, solar and geothermal will be required" (p.15). As well, "Meeting our proposed emissions budgets would require a transformation of the country's energy system. Our path shows that annual electricity generation would need to increase by around 20% over 2018 levels by 2035 to meet industry and electric vehicle needs. Wind, solar and biomass would expand at a faster rate than expected under current policy settings to meet the country's energy needs and replace coal and natural gas" (p.90).

RECOMMENDATION:

Retain (with updates): Issues 12.1 and 12.2 remain valid regionally significant issues, but need updating to give effect to the national directives.

Add New Issue: Incorporate consideration of climate change in relation to this issue, e.g. reducing GHG emissions caused by the production and use of energy, and promoting renewable electricity generation as per the NPS REG and the recommendations of the Climate Change Commission (and Government response).

44 Climate Change Commission (Jan 2021). 2021 Draft Advice for Consultation. <https://www.climatecommission.govt.nz/get-involved/our-advice-and-evidence>

5.23 Transportation

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
5.6 Managing urban transport systems and urban development.	2	2	3	3	3	13	3	3	2
12.4 Significant land transport issues.	2	2	3	3	2	12	2	3	2

ASSESSMENT:

1. Urban growth causes significant demands on the expansion of urban transport systems. Ongoing development, particularly in Richmond, is causing a rapidly worsening road transport situation. Significant infrastructural investment is going to be required.
2. Land transport is relevant throughout the district, but only causes difficulties in certain key locations.
3. Effects arising include amenity values.
4. Poor performance results in reduced economic efficiency,
5. Outcomes are strongly influenced by LTP process and the management of the Council road corridors.
6. NZTA administers the SH corridors.
7. Council spends a considerable amount on managing the transport network. The TRPS notes that "Over one-third of Council's annual expenditure is directed to the roading system, the single largest expenditure activity" (p.147).
8. Transport issues identified in te tau iwi management plans include reclamation of wetlands and estuaries for roads, ports and marinas, damage to natural habitats and waahi tapu caused by earthworks for road construction, contaminants in stormwater runoff from roads, and stock effluent disposal and spillage on roads from stock trucks.

COMMENT:

National Directives:

The RPS needs to give effect to the NPS-UDC. It is concerned with providing sufficient housing and business development capacity "to meet the needs of people and communities and future generations in urban environments". Development infrastructure, including the network infrastructure required for land transport, needs to be provided for as part of the planning for urban development.

TDC and NCC have prepared a joint Future Development Strategy (FDS) in accordance with the NPS-UDC. The FDS identifies the type of infrastructure investment that is likely to be required to enable growth in the areas identified, and whether investment is already planned for. It notes that "For transport, cumulative impact analysis of all the areas on the wider state highway network needs to be investigated" (p27).

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): *Recognise that road transport trends are currently likely to be unsustainable, and that different transport solutions must be incentivised.*

Retain (with updates): *While Issue 12.4 recognises that vehicle usage contributes to GHG emissions, the issue could be amended to better reflect climate change considerations and mitigation such as encouraging reductions in vehicle emissions and promoting sustainable modes of transport and infrastructure to support active transport options.*

5.24 Historical and Cultural Values

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
4.1 An ongoing relationship between tangata whenua iwi and Council and giving effect to the interests of tangata whenua iwi concerning sustainable management of resources including lands, waters, the coast, wahi tapu and other taonga.									
5.1 Maintenance and enhancement of the quality of the urban environment.	3	3	2	2	2	12	2	2	3
6.2 Management of the adverse effects of land fragmentation.									
6.3 Protection and enhancement of Significant Indigenous Vegetation, Plant and Animal Habitats, and natural and heritage features in the District.									
9.9 Public Interest in Access to and along the coast									
<p>ASSESSMENT:</p> <p>1. The TRMP includes approximately 800 cultural Heritage sites, 127 Buildings and structures, and 575 protected trees (although we are unclear at this stage how many of these trees are protected for their heritage vs amenity value) throughout the District. By comparison NCC has approx. 900 trees, 70 cultural heritage sites, and 400 buildings and the importance of heritage to regional identity and cultural affiliations of tangata whenua with their taonga are identified as significant resource management issues for the region in their Draft Nelson Plan RPS chapter. The MEP also has a RPS level heritage issue as follows: "Marlborough's historic heritage may be lost or adversely affected by changes in</p>									

land use and land use management practices.” While heritage issues may not be a cross boundary issue as such, it is an issue that is significant in adjoining jurisdictions and is therefore a widespread issue particularly given the regional spread of heritage sites in Tasman.

2. In achieving the sustainable management purpose of the RMA decision makers shall recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development (s6(f)) and the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga(s6(e)). Note s6(f) was added to the RMA in 2003 and repealed s7e – an “other matter” (recognition and protection of heritage values of sites, buildings, places, or area) This RMA amendment was after the TRPS was finalised in 2001.
3. A finite resource that is being impacted through natural hazards (such as coastal erosion and inundation and flooding), subdivision and land use. The majority of cultural heritage sites (68%) relate to sites of interest to Maori, the remaining 32% are post European. Five non-notified consents between 2010-2019 for buildings and earthworks related to cultural heritage. Between 2009-2019 135 authorities from HPT were granted in Tasman. Approximately 75% of heritage buildings and structures are also listed by HPT. 15 non-notified resource consents were granted between 2009-2019 for heritage buildings and structures. 28 non-notified resource consents were granted for removal (19) and trimming and pruning (9) of protected trees between 2009-2019. 59 trees have been removed from the schedule, mainly due to destruction from storms or natural death. Overall there has been limited destruction of sites/buildings/trees since the plan was notified in 2009 but there is still a number of sites/buildings/trees at risk from future development and hazard risk.
4. As noted under 3 there is potential conflict with resource use give the location of sites/trees/ buildings within areas of future development. Overall, there are 1500 matters listed across the region which impact a significant number of private landowners. How these resources are managed is likely to arouse public concern.
5. There is a proportionally small amount of land affected by heritage areas in the District, but these areas are a finite resource that cannot be recovered once lost.
6. Heritage areas have been identified in Tasman District Plans for some time. Listings need to be reviewed to keep pace with best practice and national legislation and policy changes. In particular, trees need to be assessed for their heritage value to determine which trees are protected as a matter of national importance under s6(f) or for amenity value. A review of approaches in Nelson and Marlborough would also be useful to ensure Te Tau Ihu consistency. There is a particular need to review cultural heritage sites to ensure that the coverage address all sites of significance to iwi. Cultural landscape work also needs to be undertaken to support heritage, landscape, freshwater, tangata whenua iwi and coastal workstreams. Mapping needs to be undertaken to understand the risk from how future development and natural hazards will be managed in the TEP.
7. Ongoing protection of heritage sites under the RMA does not create a high resource or financial cost to council. There would be an ongoing requirement to subsidise heritage building and tree maintenance. The cost to re-assess all sites as part of the plan review would be between \$150,000 - \$200,000.
8. Cultural values are of high significance to iwi (TRPS issue 4.1) and Kathie’s summary of Iwi management plans which highlights the need to set aside and protect mahinga kai and maataitai areas, accidental discovery processes, silent files, cultural heritage overlays and buffer zones, as well as restricting activities in cultural heritage areas such as earthworks, tourism activities, mineral extraction, forestry activities and subdivision and development. Further consideration will need to be given to Settlement legislation as this occurred post TRPS.

COMMENT:

National Directives:

The NPS-UDC 2020 Indicates that height and density standards can be altered to accommodate qualifying matters (Policy 4). Qualifying matters include s6 matters of national importance such as heritage, hazards, and Maori values. While this policy applies to Tier 1 Councils TDC staff have clarified that this would be applicable to Tier 2 Councils also and this will be factored into the Future Development Strategy.

NZCPS 2010 objective 3 and Policy 2 for require the protection of tangata whenua iwi values and Policy 17 requires the protection of historic heritage values in the coastal

environment.

The NES-FM 2020 includes a general condition for activities in and around natural wetlands. This includes the requirement to ensure the activity does not destroy, damage, or modify a site that is protected by and enactment because of the site's historic heritage e(s55(10).

NPS FM2020 requires that Māori freshwater values are identified and provided for (Policy 2). There is also a requirement for regional councils to work with tangata whenua (s3.2) and identify Maori freshwater values (s3.4). Mahinga kai (places where freshwater species that have traditionally been used for food are located) are compulsory values (App 1A s4) and other values that must be considered include wai tapu (places of special significance to tangata whenua) and tauranga waka (s3&4 App 1B). There is likely to be a close relationship between these places and cultural heritage areas (sites of significance to Maori) and cultural landscapes.

S6(h) of the RMA was added in 2017. This requires the management of significant risks from natural hazards. This is a critical RM issue that needs highlighting, given the location of significant heritage resources close to the coast and rivers, and the risk to heritage buildings from earthquakes.

TRMP Review 2019-2020:

The s35 evaluation report for Chapter 10 'Significant Natural Values and Historic Heritage recommended that TDC continue to protect historic heritage including cultural heritage sites, heritage buildings and structures, and protected trees subject to a range of recommendations to bring the plan up to date with current practice and treaty settlements and align with national policy guidance. As outlined above there is additional work to be done to quantify the level of risk to existing heritage resources from a range of sources.

Nelson-Tasman Future Development Strategy:

The FDS sets out how the urban settlements and townships in the Nelson and Tasman regions will change and develop over the next 30 years. The FDS shows where future housing and business development is likely to be located, and how this development is likely to be phased and timed over the 30 year period. Avoidance of Heritage Areas has been factored into the current Nelson-Tasman FDS for the Tasman District.

Climate Change:

RMA 1991 Section 7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.

RECOMMENDATION:

Retain (with updates): given the elevation of historic heritage to a matter of national importance in 2003 and its recognition in national directives, it is recommended that historic heritage be identified as a significant resource management issue in its own right.

Potential impacts on historic heritage are currently lost amongst broader issues such as natural heritage, the quality of the environment, land use, and coastal access, so that there is not necessarily a clear line of sight between the RPS and TRMP provisions.

Note: If historic heritage is not retained as a regionally significant issue then it needs to be reflected in issue topics that impact on heritage values such as iwi, quality of the Urban Environment, water, coast, public access, natural hazards etc.

Add New Issue: Incorporate consideration of climate change in relation to this issue (e.g. climate change effects will result in more frequent and severe weather-related natural hazard events which may damage or destroy historic heritage sites).

5.25 Natural Features and Landscapes

Current TRPS Issue(s)	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
6.3 Protection and enhancement of Significant Indigenous Vegetation, Plant and Animal Habitats, and natural and heritage features in the District.	3	3	2	2	2-3	12-13	2	2	2
<p>ASSESSMENT:</p> <ol style="list-style-type: none"> ONLFs are a Section 6(b) matter. Very large extent of ONFLs in Tasman. ONFLs are highly valued by people and very visually prominent and heavily used by the community and visitors. Much of the ONLFs are on DOC land, but some large areas are in private ownership e.g. north west coast. Many ONFLs are on private land. Some unprotected ONFLs are at considerable risk from land use change, cumulative effects, especially on the privately owned edges of the large ONLFs. Currently there are not widespread inappropriate activities, but there are very few protections in place. Amenity landscapes are considered under s7(c) amenity values. Amenity landscapes are an area which has poor evidence base but is of high value to people (evidenced by FDS consultation). Amenity landscapes potentially at greater risk due to private land ownership and potential for modification that would be very visible. <p>COMMENT:</p> <p>Issue 6.3 does not currently deal with landscapes and this needs to be considered. Evidence has indicated that high amenity values are of significance to the community and the environment.</p> <p><u>National Directives:</u> NZCPS Objective 2 and Policy 15 require consideration of natural features and landscapes and in particular to avoid adverse effects of activities on ONFL in the coastal environment. Draft NPS-IB</p> <p><u>Climate Change:</u> RMA s7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change.</p> <p>RECOMMENDATION:</p> <p>Retain (with updates): expand Issue 6.3 to elevate the recognition and protection of ONFLs. While the extent of potential modification is limited, the effects of the loss of highly valued landscape (e.g. northwest golden bay) are very significant and would have an extremely high impact. The RPS issue relates to a high risk, rather than current adverse effects.</p>									

Climate change is also likely to exacerbate the risk to these locations from increasing pest incursions and natural hazard events (particularly wild fire). Consider whether 'Amenity and Valued' landscapes should also be considered as regionally significant issues to capture matters of national importance under RMA s6b. Many landscapes that are not sufficiently "natural" or "outstanding" hold significant value for people. These can be valued for a range of reasons, often different in different locations. The loss of the characteristics that make these landscapes valued are gradual, but cumulative.

6. Assessment of Proposed New TRPS Issues

The following assessment applies the five significance criteria and the three additional criteria to three proposed new issues – climate change, urban growth and infrastructure, and community wellbeing. As with the current TRPS issues, the assessment consists of the numerical score assigned for each criterion, a written statement outlining why the score has been given for each criterion, further comment to provide background information of relevance to the issue, and a recommendation to add the new issue to the TRPS.

6.1 Climate Change

New TRPS Issue – Climate Change	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
<i>Responding to climate change risks and impacts, including the need for mitigation and adaptation measures.</i>	3	3	3	3	3	15	3	3	3
<p>ASSESSMENT:</p> <ol style="list-style-type: none"> <i>Climate change has potentially wide ranging effects on water, land and marine flora, fauna, habitats and ecosystems, and impacts upon people and the built environment.</i> <i>As noted above, climate change will affect a range of resources having high value. RMA s7(i) states that councils in managing the use, development and protection of natural and physical resources, shall have particular regard to climate change. The NZCPS, NPS-FM and draft NPS-IB include provisions to address risks associated with climate change, which the RPS must give effect to (see 'Comment' section below).</i> <i>Climate change will exacerbate existing resource use pressures. For instance, demand for water already exceeds availability in some catchments and many parts of the District can experience significant water shortages during periods of drought. This will only worsen with climate change. As well, sea level rise and increased flood events will place pressure on infrastructure, such as the 3-waters (wastewater, stormwater, and freshwater), roads, bridges footpaths and cycleways, wharves and jetties, and public reserves.⁴⁵ New resource use pressures may also arise, such as the exposure through flooding of former refuse dumps adjacent to rivers or the coast.</i> <i>Climate change will also exacerbate existing resource use conflicts, for instance competing demands for water use during more frequent dry periods, and increased pressure on council to construct hard structures along the coastline to protect low lying properties from sea level rise. New resource use conflicts may also arise.</i> <i>Council's Climate Change Strategy identifies a number of (mostly negative) impacts that may occur in Tasman District, including:⁴⁶ increased coastal hazard risk to roads,</i> 									

45 For instance, see Local Government NZ, 2019. *Vulnerable: the quantum of local government infrastructure exposed to sea level rise.* <https://www.lgnz.co.nz/our-work/publications/vulnerable-the-quantum-of-local-government-infrastructure-exposed-to-sea-level-rise/>

46 <https://www.tasman.govt.nz/my-region/climate-change/what-is-council-doing/>

infrastructure and private property; heavy rain exceeding the capacity of stormwater systems leading to surface flooding; more frequent river flooding, hill country erosion and landslip events; more frequent droughts leading to water shortages, increased demand for irrigation and increased risk of wild fires; an increase in the occurrence of summer water-borne and food-borne diseases such as Salmonella, as well as an increase in tropical diseases; an increase in the spread of pests, weeds and crop diseases such as fungi and viruses, due to warming temperatures; loss of habitat for native species; an opportunity to grow new crops due to warmer temperatures and fewer frosts, offset by prolonged drought or greater frequency and intensity of storms making it difficult for other crops to grow.

Climate change will also have cumulative and cascading effects (see 'Comments' section below).

6. There is a strong and growing body of evidence linking human activities to global warming and effects of climate change.⁴⁷ The degree of risk and likely future impacts depends on the mitigation measures countries, including NZ, take to reduce greenhouse gas emissions and sequester carbon from the atmosphere. Already the effects of climate change are evident in the Tasman District. Recent events such as the droughts of 2019 and 2020, the Redwood Valley fire in 2019, and the damage caused by ex-tropical cyclones Fehi and Gita in Feb 2018 are considered to have been influenced by climate change.
7. There will be a significant cost to council and private land owners where there is a need to relocate buildings and infrastructure vulnerable to climate change, most notably inundation from sea level rise and storm surges. Council and private land owners may also incur costs associated with increased flood control measures to protect property and other assets, and construction / provision of water storage (e.g. community or private dams, water tanks). There is also a greater potential for loss of productivity and income due to more frequent and intense weather events and pest incursions. Clean-ups and recovery from more frequent and severe storms will also require public and private resources.
8. Climate change and its causes are identified as issues of concern in a number of iwi management plans and iwi environmental plans.⁴⁸ It is also one of the key issues identified in the Te Tau Ihu Draft Intergenerational Strategy 2019. Māori have been identified as vulnerable to the impacts of climate change, for instance due to the heavy reliance of the Māori economy on primary industries. Other potential impacts include loss of marae and Māori land, including urupā, from rising sea levels and flooding, damage to cultural heritage sites, loss of mahinga kai (food gathering areas), and the challenge of paying for any necessary physical adaptations. Climate change can also exacerbating existing disadvantage, such as poor housing and health.⁴⁹

COMMENT:

[Our atmosphere and climate 2020 Report \(Ministry for the Environment\)](#)⁵⁰

47 For instance, see: IPCC, 2014: *Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland. <https://www.ipcc.ch/report/ar5/syr/>

48 Nga Taonga Tuku Iho Ki Whakatu Management Plan (2004); Ngāti Tama ki Te Waipounamu Trust Environmental Management Plan (2018); and Ngāti Koata No Rangitoto Ki Te Tonga Trust Iwi Management Plan (2002).

49 For instance, see <https://www.stuff.co.nz/environment/climate-news/108755375/maori-are-among-the-most-vulnerable-to-climate-change>; and <https://www.mfe.govt.nz/sites/default/files/media/adapting-to-climate-change-stocktake-tag-report-final.pdf>

50 Ministry for the Environment & Stats NZ (2020). New Zealand's Environmental Reporting Series: Our atmosphere and climate 2020.

“The effects of climate change will be felt most acutely when they overlap and build on each other. These are known as cumulative effects. Some examples include a heatwave and drought happening at the same time or a storm surge adding to raised sea levels and making coastal flooding worse. Cumulative effects can also occur when climate change adds to other changes to the environment. For example, excess nutrients in rivers and lakes can cause algae blooms, but these blooms become more likely when water is warmer... The increasing frequency of climate-related extreme events makes them more likely to co-occur and cause cumulative effects. This increased risk will be a challenge to our resilience and ability to recover, especially as we are only beginning to understand how and where the events are likely to occur.

Climate change can also have cascading effects, where one climate impact can affect many aspects of our society. Heavy rain and floods for example, can affect wastewater services, road networks, and power and water supplies. These effects all have links to the safety of individuals as well as the quality of life and economic activity of an area. This may cause people to leave the area, particularly if the impacts become more common and access to insurance decreases. The effects then cascade to put greater pressure on councils – with fewer residents left to pay rates, services for those who remain can be reduced.”

RMA 2020 Amendment:⁵¹

As of 31 December 2021 (unless extended by an Order in Council), councils must have regard to emissions reduction plans and national adaptation plans under the Climate Change Response Act 2002 when making and amending regional policy statements (s61(2)(d) & (e)). The repeal of ss70A, 70B, 104E and 104F mean that councils will be able to consider the effects of discharges to air of greenhouse gas emissions on climate change.

National Directives:

The NZCPS includes a number of provisions that relate to the effects of climate change on the coastal environment, which require the RPS to:

- *Adopt a precautionary approach that covers use and management of coastal resources, particularly vulnerable to the effects from climate change.*
- *Provide public open space that takes account of the likely impact of coastal processes and climate change.*
- *Identify coastal hazards using a 100 year hazard-risk timeframe and have regard to the effects of climate change; ensure subdivision, use and development avoids increasing the risk of coastal hazard effects or harm.*

The NPS-FM requires freshwater to be managed as part of New Zealand’s integrated response to climate change, including by:

- *Setting limits on resource use having regard to the foreseeable impacts of climate change; and*
- *Setting environmental flows and levels having regard to the foreseeable impacts of climate change.*

The draft NPS-IB have provisions to support the resilience of indigenous biodiversity to the effects of climate change, including by:

- *Providing for the maintenance of ecological integrity through natural adjustments of habitats and ecosystems; and*
- *Considering the effects of climate change when making decisions on restoration and enhancement proposals; and*
- *Managing and reducing new and existing biosecurity risks; and*
- *Maintaining and promoting the enhancement of, the connectivity between ecosystems and between existing and potential habitats.*

<https://www.mfe.govt.nz/publications/environmental-reporting/our-atmosphere-and-climate-2020>

51 <https://www.mfe.govt.nz/sites/default/files/media/RMA/overview-of-changes-introduced-by-the-resource-management-amendment-act-2020-updated.pdf>

National direction is currently being scoped to support local authorities making consistent rules for climate change mitigation.

*TRPS Statutory Obligations report:*⁵²

A review of changes to legislation and national directives that need to be incorporated in the second generation RPS concluded that:

“The TRPS provisions need to more clearly identify and respond to the effects of climate change, as required by the new [RMA] s7(i). Having a ‘Climate Change Effects’ section in the TRPS would be one way of integrating provisions that are aimed towards climate change adaptation. ‘Climate change’ is mentioned only once in the TRPS, in relation to its impact on sea level rise (Issue 11.3). Greenhouse gas emissions are referred to twice with respect to vehicle emissions (Issue 12.4)”.

RECOMMENDATION:

Add new issue: *climate change needs to be included in the RPS as a regionally significant issue. It is a major stressor that will exacerbate many of the other significant issues recommended for inclusion in the second generation RPS (as noted in the recommendations for those issues). Therefore an integrated approach will be required to respond meaningfully to climate change risks and impacts.*

52 Mason, G. 2019. Stage 2 of TRPS Efficiency and Effectiveness Review: Statutory Obligations, pp.24-5.

6.2 Urban Growth and Infrastructure

New TRPS Issue – Urban Growth and Infrastructure	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
<i>Providing for urban growth and the infrastructure required to support it while avoiding or minimising adverse effects on the environment.</i>	3	3	3	3	3	15	3	3	3

ASSESSMENT:

1. Urban growth is occurring throughout the District, particularly in the main settlements of Richmond, Motueka, Mapua/ Ruby, Brightwater and Wakefield. There is also demand for rural residential and lifestyle development in rural locations. Tasman District has experienced considerable population growth over the past ten years, from an estimated 47,400 in 2010 to 56,400 in 2020 (an increase of 17.5%).⁵³ Tasman's population is projected to increase by 7,300 between 2021 and 2031, to reach almost 64,000. Across the 30 years from 2021 to 2051, Tasman's population is projected to increase by 19,300, to reach almost 76,000.⁵⁴
2. Urban growth can impact upon productive land, fresh and coastal water quality (through increased discharges) and freshwater quantity (through increased demand), valued landscapes and areas having high natural value, and historic heritage values (e.g. heritage buildings and areas, archaeological sites and waahi tapu).
3. Population growth has placed pressure on the District's housing stock, as demand outstrips supply. According to Massey University, Tasman District has been hovering around second to third least affordable region for quite a while⁵⁵. The University has however only reported on Tasman separate from top of the south since March 2019. In addition, a range of housing options is required to accommodate different needs and stages of life, including residential options for the District's aging population. As noted above, urban growth can create pressure to subdivide and develop rural land with high productive values. It also increases demand for freshwater. Residential development in some rural areas has led to an increased risk of groundwater contamination through the cumulative effect of onsite septic tank discharges (see s35 evaluation report for TRMP Chapter 33 'Contaminant Discharges'). Growth can place a strain on existing infrastructure, such as wastewater, stormwater and transport networks. Inadequate strategic planning for future urban development can constrain growth and place pressure on available resources, e.g. housing.
4. A number of conflicts exist in providing for urban growth, particularly housing, that are beyond the control of TDC and the planning mechanisms available to it. These include:

⁵³ <https://ecoprofile.infometrics.co.nz/Tasman%2bDistrict/Population/Growth>

⁵⁴ <https://www.tasman.govt.nz/my-council/key-documents/more/growth/growth-model/>; See also Jackson, N, 2019. *Tasman District Council and Wards – Population, Household and Dwelling Projections 2018-2053*; AND TDC, 2017. *Growth Model 2017 Summary of Outputs, Assumptions, and Methods*, <https://www.tasman.govt.nz/my-council/key-documents/more/growth/growth-model/>

⁵⁵ *The Massey University quarterly Affordability report: Home Affordability Report - Massey University*

- Concentration of land ownership in a small number of people and companies, which can lead to land banking as developers release capacity on to the market at a price that maximises their return, hence there are incentives to produce new housing slowly;
- Lack of capacity of skilled labour in the construction industry and the expensive methods of housing construction;
- Construction costs rising several times the rate of general inflation - a duopoly exists among companies providing building materials in New Zealand;
- No legal requirement for developers to provide genuine affordable housing;
- Policies of banks on lending finance to developers; and
- Developer covenants on subdivisions that usually have the effect of adding to the cost of building, to a varying degree dependent on the extent of the covenants.

Conflicts also arise where rural land is used for urban development, thereby reducing the land available for productive use. Reverse sensitivity issues can also occur where urban development expands into rural areas, e.g. air pollution from rural burn-offs, spraying of agrichemicals, shading from shelterbelts etc. The siting of new development in areas with valued natural character or with higher risks of natural hazards can be controversial, e.g. within the coastal environment. There can also be inadequate consideration of impacts of development on Māori cultural values.

5. If not well planned and implemented, urban development driven by growth can be ad hoc and impact negatively on a range of natural and physical resources (as described above), as well as on community wellbeing, health and safety.
6. Council has undertaken a number of growth modelling projects (see foot note 12). There have been a large number of TRMP plan changes designed to accommodate growth in the district's larger settlements. In addition to providing additional land for residential development, these changes have introduced a greater diversity of residential density and housing form in response to changing community aspirations for greater housing choice (see s35 evaluation report for TRMP Chapter 6 'Urban Development Effects').
7. There is a high public and private cost associated with undertaking urban development and providing for and maintaining infrastructure. This is offset by the value attained from the developed land. A lack of development to meet demand can drive up costs, such as inflated land and capital values.
8. Urban growth can affect areas of specific interest to Māori, such as pressure on precincts and sites of special significance, loss of access to resource gathering areas, and increased pressure on urban waterways. Earthworks associated with subdivision can contaminate waterways and damage habitats and culturally important sites. Ensuring urban growth planning provides for land development opportunities such as Papakainga housing is an important consideration for iwi.

COMMENT:

National Directives:

The NPS-UDC requires council to provide sufficient housing and business development capacity "to meet the needs of people and communities and future generations in urban environments". Providing sufficient development capacity includes the infrastructure necessary for future urban development (i.e. "network infrastructure for water supply, wastewater, stormwater, and land transport as defined in the Land Transport Management Act 2003, to the extent that it is controlled by local authorities"). Tasman is identified as a medium-growth urban area with specific policies applying. TDC and NCC have prepared a joint Future Development Strategy (FDS) in accordance with the NPS-UDC. The FDS directs council to amend the TRPS, for instance to:

- Establish new objectives that introduce the FDS growth concept (intensification and expansion areas) and give statutory support to the overall settlement pattern.
- Establish new objectives and policies to enable centres-based intensification of the existing urban area.
- Afford greater policy support for well-designed intensification in appropriate locations within existing urban areas.
- Achieve coordinated and logical urban growth, including efficient integration of land use and necessary infrastructure.

The NPS-REG requires council to ‘recognise and provide for’ the development, operation, maintenance and upgrade of renewable electricity generation activities. Similarly, the NPS-ET requires council to ‘recognise and provide for’ the electricity transmission network and the need to operate, maintain, develop and upgrade the network.

The NZCPS requires council to identify and avoid (or protect / preserve) coastal areas that are unsuitable for subdivision, use or development, including outstanding natural landscapes and features, areas of natural character, areas of significant indigenous vegetation and significant habitats of indigenous fauna, and areas subject to coastal hazards.

The NPS-FM requires council to:

- Manage freshwater in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments;*
- Encourage the co-ordination and sequencing of regional or urban growth, and*
- Promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.*

Three national directives yet to be finalised will also need to be given effect to in the RPS in due course. They are: (1) the draft NPS on Indigenous Biodiversity (which deals with the protection of biodiversity, including from inappropriate subdivision, use and development); (2) an NPS on Highly Productive Land (which deals with the way highly productive land is managed, including the need to protect it from inappropriate subdivision, use and development); and (3) an NPS for historic heritage, which is currently at the scoping stage.

TRMP Effectiveness Review:

The s35 evaluation report for TRMP Chapter 6 ‘Urban Environment Effects’ found that:

“The fast rate of growth and change in many parts of the District is pressurising Council’s capacity to roll out serviced land. Other consequences of this fast growth are urban development occurring in unintended locations (i.e. urbanisation of the rural areas and out-of-zone residential and business development), as well as the increasing unaffordability of housing... The plan lacks a commercial centre and settlement hierarchy that also takes into account the influence of Nelson City. This would be helpful for the District’s larger settlements in that it would reduce the risk of inappropriate development compromising planned future growth outcomes and better coordinate infrastructure roll-out” (p.5).

RECOMMENDATION:

Add new issue: *Addressing the need to provide for urban growth and infrastructure that meets the social, cultural and economic needs of a diverse population, while at the same time ensuring that important environmental and cultural values are protected. Providing for a range of housing options is of particular importance to help address the current pressure on housing availability and the increasing unaffordability of housing.*

Consider either including ‘Urban Growth and Infrastructure’ in the RPS as a standalone issue, or merging it with existing RPS issues related to urban development and infrastructure, e.g. Issue 5.6 ‘Effects of Land Transport Activities and Urban Development on Each Other’, and Issue 5.7 ‘Maintenance and Enhancement of the quality of the Urban Environment’.

6.3 Community Wellbeing

New TRPS Issue – Community Wellbeing	1. Widespread	2. Effect on High Value	3. Resource Under Pressure	4. Resource Use Conflict	5. Degree of Impact	TOTAL (Criteria 1-5)	6. Strength of Evidence-Base	7. High Cost	8. Iwi Significance
<i>Communities rely on strategic and sustainable resource use, development and protection in providing for their wellbeing.</i>	3	3	3	3	3	15	1-3	3	3
<p>ASSESSMENT:</p> <ol style="list-style-type: none"> <i>The issue of community wellbeing relates to all urban and rural communities in Tasman.</i> <i>Communities rely on a high quality environment for their wellbeing, including freshwater, productive land, biodiversity, the coastal environment, and urban form and function. Many of the district’s economic activities rely on natural resources, including fishing, forestry, agriculture, horticulture, and tourism. Deterioration in resources of high value therefore undermines the ability of communities to provide for their wellbeing.</i> <i>Many of the resources communities rely upon are under pressure from historic and current uses and developments, and increasingly from the impacts of climate change.</i> <i>There are competing demands for resource use, for instance the use of freshwater for irrigation and urban development. Some resource uses can degrade the environment thereby affecting other resource users, e.g. nutrient runoff from land (due to stock effluent and fertilisers) can reduce water quality and can make it unsuitable for recreational use.</i> <i>The community has a strong reliance on sustainable natural and physical resource use, development and protection. The potential impact on wellbeing from resource deterioration or loss is significant. The effects of climate change, alongside the pressure for urban growth, will exacerbate the impact.</i> <i>As identified in Sections 5 and 6 of the report, the strength of evidence to support varies. Ongoing monitoring and evaluation will be required to determine how well the issues related to community wellbeing are being addressed.</i> <i>There are and will continue to be significant costs (both public and private) in addressing this issue, but this is balanced by the gains for communities in being able to provide for their social, cultural, environmental and economic needs.</i> <i>Iwi management plans and environmental plans clearly outline the importance of community wellbeing, including in regard to kaitiakitanga, the ability to practice traditional and cultural customary activities, sustainable resource use opportunities, and the importance of environmental protection and enhancement.</i> <p>COMMENT:</p> <p><i>Community wellbeing relates to a wide range of matters, including resilience to climate change/disasters/pandemics, having diverse energy supplies, safe and varied transport options, affordable and diverse housing options, varied and sustainable economic opportunities, resilient and local food systems, being safe from natural hazards, and having access to a wide range of social and cultural activities, safe drinking water and good air quality. All these components to wellbeing have been raised in Council’s community engagement processes.</i></p> <p><i>National Directives: all NPSs and NESs are relevant to this issue.</i></p> <p><i>The NZCPS recognises that some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social,</i></p>									

economic and cultural wellbeing of people and communities, and that some uses and developments can only be located on the coast or in the coastal marine area.

The NPS-FM prioritises: (a) first, the health and well-being of water bodies and freshwater ecosystems; (b) second, the health needs of people (such as drinking water); and (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The NPS-UDC seeks to (amongst other objectives) ensure effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing, and for urban environments to have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

The NPS-REG and NPS-ET recognise the importance of maintaining or increasing electricity generation capacity, maintaining or increasing security of electricity supply, and the facilitation of the use and development of new electricity generation, including renewable generation which assists in the managing the effects of climate change.

The draft NPS-IB and proposed NPS-HPL are also relevant.

RECOMMENDATION:

Add New Issue that recognises the importance of sustainable resource use, development and protection for the social, cultural, environmental and economic wellbeing of Tasman communities. As with climate change, addressing the issue of Community Wellbeing requires an integrated approach across all of the issues identified in the report.

Appendix 1: Current TRPS Issues Grouped by Resource Management Topic

Iwi Matters

- 4.2 Developing Relationships between the Tangata Whenua & Council
- 4.3 Environmental Management Kaupapa & Tikanga
- 4.4 Commercial Interests of Iwi

High Productive Land

- 5.1 Allocating the use of high quality lands adjacent to urban areas
- 6.1 Sustaining the high quality land resource
- 6.2 Management of the adverse effects of land fragmentation

Cross-Boundary Effects

- 5.4 Cross-boundary conflicts between adjacent urban and rural
- 6.4 Management of the adverse effects of rural land use activities across property boundaries
- 13.2 Management of cross boundary issues between local authority boundaries

Urban Design and Development

- 5.7 Maintenance and enhancement of the quality of the urban environment

Biodiversity

- 6.3 Protection & enhancement of significant indigenous vegetation, plant & animal habitats, & natural & heritage features in the district

Soil Damage or Loss

- 6.6 Soil damage or loss and sedimentation arising from land use in farming, forestry, mineral extraction or construction activities

Pest Management

- 6.7 Management of significant animal and plant pest problems

Riparian Land Management

- 6.8 Riparian land management

Minerals

- 6.9 Accessibility of mineral resources

Water Allocation and Availability

- 5.3 Water allocation for urban growth
- 7.1 Determining the allocation of available water
- 7.3 Significant reduction in surface water and groundwater availability can occur through the establishment of tall vegetation cover or the growing of crops requiring irrigation water

Freshwater Bodies

- 7.2 Protection of natural, recreational and cultural values of water bodies
- 8.2 Protection of riverine ecosystems and instream values

Gravel Extraction

- 8.4 Gravel extraction from rivers

Coastal Environment

- 9.1 Lack of information on the coastal marine environment
- 9.3 Adverse effects of activities in the coastal marine area
- 9.7 Adverse effects of land-based activities on the coastal environment

Navigation Safety

- 8.3 Activities on the surface of waters of rivers and lakes
- 9.2 Issues concerning boats: navigation and safety and facilities

Aquaculture and Fisheries

- 9.5 Legal constraints on the management of adverse effects of aquaculture and fisheries

Coastal Natural Character

- 5.5 Urban expansion in areas of natural coastal character
- 9.6 Identifying and maintaining the natural character of the coastal environment

Public Access

- 9.4 Private and public rights of access to coastal space
- 9.9 Public interest in access to and along the coast

Contaminant Discharges

- 6.5 Management of the adverse effects of contaminants arising from land use activities, on water and soil quality
- 7.4 Effects of contaminant discharges on water quality
- 9.8 Maintenance and enhancement of coastal water quality
- 10.1 Industrial, agricultural or urban effluent discharges to water and air
- 10.2 Agricultural, forestry and other industrial discharges to land
- 10.3 Diffuse source discharges from land use activities to land, water and air
- 10.4 Legacy of contaminated sites in urban and rural settings

Waste Management

- 10.5 The effects of generating and disposing of contaminant wastes
- 10.6 Minimising the amount of waste generated

Natural Hazard Management

- 5.2 Managing natural hazard risks to urban growth
- 8.1 River channel management and flood mitigation
- 11.1 Avoidance or mitigation of flooding
- 11.2 Avoidance or mitigation of coastal erosion
- 11.3 Effects of sea level rise
- 11.4 Avoidance or mitigation of land instability and structural risks from slope or ground failures and earthquake shaking
- 11.5 Avoidance or mitigation of risks of fire

Hazardous Substances

- 11.6 Avoidance or mitigation of risks from hazardous substances storage, use, disposal situations
- 12.3 Risk of contamination from radioactive material

Energy

- 12.1 Environmental effects of energy resource development
- 12.2 Promotion of efficient energy uses

Transportation

- 5.6 Managing urban transport systems and urban development
- 12.4 Significant land transport issues

Historic and Cultural Values

- 4.1 An ongoing relationship between tangata whenua iwi and Council and giving effect to the interests of tangata whenua iwi concerning sustainable management of resources including lands, waters, the coast, wahi tapu and other taonga.
- 5.1 Maintenance and enhancement of the quality of the urban environment.
- 6.2 Management of the adverse effects of land fragmentation.
- 6.3 Protection and enhancement of Significant Indigenous Vegetation, Plant and Animal Habitats, and natural and heritage features in the District.
- 9.9 Public Interest in Access to and along the coast

Natural Features and Landscapes

- 6.3 Protection and enhancement of Significant Indigenous Vegetation, Plant and Animal Habitats, and natural and heritage features in the District.

Resource Management Process

- 13.1 The development of integrated resource management plans as a unitary authority.
- 13.3 Consultation with the public in developing plans.
- 13.4 Duty to assess alternatives in developing resource management plans.
- 13.5 Implementing resource management plans.
- 13.6 Making resource management decisions under uncertainty.
- 13.7 Monitoring and enforcement.
- 13.8 Managing resource management conflicts of interest within Tasman District Council.

Appendix 2: RMA Section 6 and 7 Matters

Section 6 - Matters of national importance

In achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (g) the protection of protected customary rights:
- (h) the management of significant risks from natural hazards.

Section 7 – Other Matters

In achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:
 - (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources: (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

Appendix 3: Use of ‘Significant’ or ‘Significance’ in Key RMA Provisions

RMA Provision	Use of terms ‘Significant’ or ‘Significance’
Section 6	Includes a list of matters of national importance (or significance) that all councils must ‘recognise and provide for’.
Section 30(a)(b)	Requires regional councils to prepare objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.
Section 45	Directs that National Policy Statements prepared by the Government must state objectives and policies for matters of national significance.
Section 62(1)	Requires regional policy statements to identify the ‘resource management issues of significance to the region’ and ‘resource management issues of significance to iwi authorities’.
Section 65(3)	<p>Enables regional councils to prepare a regional plan in the event of:</p> <ul style="list-style-type: none"> ◦ any significant conflict between the use, development, or protection of natural and physical resources or the avoidance or mitigation of such conflict; ◦ any significant need or demand for the protection of natural and physical resources or of any site, feature, place, or area of regional significance; ◦ any significant concerns of tangata whenua for their cultural heritage in relation to natural and physical resources; ◦ any other significant issue relating to any function of the regional council under the RMA.
Part 6AA	Allows ‘Proposals of National Significance’ to be referred by the Minister for the Environment to a Board of Inquiry or the Environment Court for a decision.
Schedule 4	Directs that the assessment of environmental effects (AEE) required as part of a resource consent application must identify and address any ‘significant adverse effects on the environment’.

Appendix 4: Comparison of Criteria for Assessing Significance in Selected Regional Policy Statements

Regional Council	Widespread Issue, incl. Cross-Boundary	High Value / Significance, incl. Scarce Resources, s6 Matters	Significant Use	Iwi Significance	Resource Use Conflict	High Resource Cost	Strength of Evidence-Base	Potential for Improvement / Influence of RPS	Degree of Impact, incl. Cumulative
Bay of Plenty	Y			Y	Y		Y		
Hawkes Bay	Y	Y	Y		Y				
Nelson	Y	Y	Y	Y	Y				Y
Northland							Y	Y	
West Coast					Y	Y			
Tasman	Y	Y	Y	Y	Y	Y	Y		Y

Appendix 5: Similarity between Criteria in the RMA and/or Used by Other Regional Councils and the Criteria Used for the TRPS

Significance Criteria In RMA and/or used by Other Regional Councils	Significance Criteria Used to Assess TRPS Issues
Widespread problem	Included in criteria.
Scarce resource	Combined into one criterion 'Effect on High Value', as scarcity, rarity or uniqueness contribute to the value or significance of natural and physical resources.
High value/ significance	
Significant use	Renamed as 'Resource Under Pressure', with focus on sustainability or potential for significant adverse effects.
Iwi significance	Included in criteria.
Resource use conflict	Included in criteria.
Cumulative impact	New criterion 'Degree of Impact' added, of which cumulative effects is a relevant consideration.
High interest or resourcing	Renamed as 'High Cost' and includes both public and private costs.
Influence of RPS	Not included in criteria, as the proposed definition for a regionally significant issue would only apply to matters that are directly relevant to the RPS.
Strength of Evidence Base	Included in criteria.
New Technology, Processes or Methods	Not included in criteria, as considered more relevant to the Environmental Protection Agency, e.g. under the Hazardous Substances and New Organisms Act.
Restoration or Enhancement	Not included as a criterion, but comes under 'Degree of Impact', which requires identification of both positive and negative outcomes.

Appendix 6: Guidance for Applying the TRPS Significance Criteria

RPS Significance Criteria	High Score (3)	Moderate Score (2)	Low Score (1)	Not Applicable (NA)
9. <i>Widespread</i> – an issue which is prevalent throughout the Tasman District (in terms of geographical extent and/or population affected), possibly crossing local authority boundaries.	Widespread throughout the District and/or affecting a large proportion of the District's population (e.g. all or most urban areas, a large proportion of rural areas, large parts of the coastal environment). May require joint management with a neighbouring council(s) to address.	Prevalent in areas of the District and/or affecting a moderate proportion of the District's population (e.g. one or two of the bigger settlements, a moderate proportion of rural areas, notable parts of the coastal environment). May require joint management with a neighbouring council(s) to address.	Localised only, affecting a small proportion of the population. Most likely does not require joint management with a neighbouring council(s) to address.	Not at all widespread.
10. <i>Effect on High Value</i> - an issue which impacts (positively or negatively) on the district's natural and physical resources of high value (e.g. regional, national or international classification), including relevant matters set out in RMA sections 6 and 7.	Has a direct and significant impact on resources of high value (e.g. WCOs, outstanding natural landscapes and features, historic heritage, high productive soils etc), with the potential to either: 1. Lead to the protection, enhancement and/or restoration of resources having high value; OR 2. Cause damage or destruction that may largely diminish or negate the resource's value.	Has a direct and moderate impact on resources of high value, with the potential to either: 1. Assist in the protection, enhancement or restoration of resources having high value; OR 2. Cause damage that may diminish the resource's value.	Has a minor / indirect impact on resources of high value, but where the resource's value is largely retained.	No impact on resources of high value.
11. <i>Resource Under Pressure</i> - an issue which impacts on the district's natural and physical resources in a way that may be unsustainable or cause significant adverse effects.	Places significant pressure on a resource(s) that cannot be sustained (e.g. due to demand outstripping supply, damaging land use practices, finite nature of the resource, impacts on	Places moderate pressure on a resource(s) which may not be sustainable (e.g. due to demand outstripping supply, damaging land use practices, finite nature of the resource, impacts on	Places some pressure on a resource(s), but within the limits of sustainability for that resource.	Does not place resources under pressure.

RPS Significance Criteria	High Score (3)	Moderate Score (2)	Low Score (1)	Not Applicable (NA)
	communities, ecosystems or habitats).	communities, ecosystems or habitats).		
12. <i>Resource Use Conflict - the presence of, or potential for, significant conflicts in resource use, including competing demands for the same resource (e.g. allocation of freshwater) and incompatible uses of a resource, including cross boundary conflicts (e.g. water discharge vs water take, urban vs rural land uses).</i>	Significant or protracted conflicts in resource use, affecting important resources (e.g. water, air, strategic infrastructure), and/or major land uses (e.g. housing, horticulture, forestry) and/or community health and wellbeing.	Moderate conflicts in resource use, affecting (e.g. water, air, strategic infrastructure), and/or major land uses (e.g. housing, horticulture, forestry) and/or community health and wellbeing.	Minor conflicts in resource use that are able to be dealt with through dialogue, existing provisions in the TRMP, compliance and enforcement action, or other regulatory mechanisms.	No conflicts in resource use.
13. <i>Degree of Impact – the degree of environmental impact (positive, negative, cumulative) caused by the issue. Impact characteristics may include magnitude, duration, frequency, reversibility, likelihood, and direct or indirect.</i>	Has a direct and significant impact, with the potential to either: 1. Lead to environmental protection, enhancement and/or restoration, including improving the health and wellbeing of communities. OR 2. Cause large-scale, irreversible or long term environmental damage, including to communities. AND INCLUDES 3. Significant cumulative impacts.	Has a direct and moderate impact, with the potential to: 1. Assist in achieving environmental protection, enhancement and/or restoration, including improving the health and wellbeing of communities. OR 2. Cause environmental damage, including to communities. AND INCLUDES 3. Cumulative impacts.	Has a minor, indirect or short term impact on the environment, including communities.	No impact on the environment, including communities.