

Regional Air Quality Plan For Taranaki

Taranaki Regional Council
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Stratford
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Version

Version	Date	Description
1.0	June 2011	Approved Regional Air Plan for Taranaki
1.1	May 2018	As amended by Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017
1.2	April 2019	Minor amendments to correct references in section 4.2.3 of the Plan to the Department of Labour's Workplace Exposure Standards 2010, pursuant to clause 20A of the first schedule of the Resource Management Act 1991
1.3	September 2023	As amended by Resource Management (National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023

Taranaki Regional Council Regional Air Quality Plan for Taranaki

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

The Taranaki Regional Council approved the Regional Air Quality Plan for Taranaki on 28 June 2011 and it became operative on 25 July 2011.

DATED at Stratford this 28th day of June 2011.

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

D N MacLeod (Chairman)

B G Chamberlain (Chief Executive)

Preface

This document – the *Regional Air Quality Plan for Taranaki* – is the second Air Quality Plan to be prepared by the Taranaki Regional Council. It is an important document because it sets out the strategic direction that the Council and the wider community will take to promote the sustainable management of natural and physical resources insofar as these resources are affected by discharges to air. The Regional Air Quality Plan also sets out the strategic direction for integrated management in Taranaki between the Taranaki Regional Council and the three district councils.

The Regional Air Quality Plan draws on the comprehensive state of the environment monitoring programmes put in place by the Taranaki Regional Council subsequent to the adoption of the first Regional Air Quality Plan in 1997.

Air quality within Taranaki is of a high natural standard. Clean fresh air is an important and valued part of the quality of life all residents enjoy. However, a number of activities within the region have the potential to cause air pollution with unwanted and undesirable effects on the environment and on human health and wellbeing.

Industries, intensive farming, agriculture and waste management processes may all affect air quality in the region. The Regional Air Quality Plan puts a process in place to prevent and/or minimise the effects of these activities on air quality whilst at the same time enabling their contribution to our economic and social well-being to continue.

The challenge now is to continue with our successful policies and programmes and identify opportunities to further improve environmental standards and conditions.

With that in mind, I have great pleasure in presenting the *Regional Air Quality Plan for Taranaki*. The Taranaki Regional Council looks forward to working with you and to continuing our efforts towards a sustainable and prosperous Taranaki.

A handwritten signature in black ink, appearing to be 'D N MacLeod', written in a cursive style.

D N MacLeod
Chairman
Taranaki Regional Council

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Reader's Guide

How the plan works

The plan is divided into seven sections.

Section 1.0 sets the boundaries of the plan's jurisdiction.

Section 2.0 contains definitions of terms that are used in the plan.

Sections 3.0 and 4.0 are the critical sections of the plan.

Section 3.0 contains:

- an overview of the air quality issues in the region;
- objectives sought for air quality in the Taranaki region;
- the policies to implement the objectives; and
- the general methods used to achieve the objectives.

The policies in the plan are an important component of the plan. The policies serve a number of purposes:

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

Section 4.0 contains regional rules. Rules control the discharge of contaminants to air. They set out standards, terms or conditions for the discharge. The regional rules also set out whether discharges to air are permitted or require an application to be made to the Council for consent to discharge to air.

The regional rules are divided into six groupings which apply throughout the Taranaki region except the coastal marine area. (Discharges to air in the coastal marine area are dealt with in the Regional Coastal Plan for Taranaki). The six groupings of rules cover the following sources of contaminants or activities discharging to air:

- discharges from industrial or trade premises (excluding waste management processes);
- discharges from industrial or trade premises or other places or sources: waste management processes;
- discharges from land: site development, earthworks or the application of soil conditioners;
- discharges from aquaculture or intensive farming processes;
- discharges from the spraying of agrichemicals on production land and within public amenity areas or roadside or railside verges; and
- discharges from the burning of vegetation on production or forested land, or from the burning of tyres and untreated used oil, or fire training activities or fire safety research or education purposes.

The rules are closely linked to the policies which provide guidance on discharge to air permit decisions.

For the purpose of clarification, note that Rules 56, 58, 59 and 60 do not apply to plantation forestry activities covered by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017.

When no rules apply to the discharge of contaminants to air, the Council may use other methods to achieve the objectives and implement the policies in the plan. These methods are listed in Section 3.0 after the policies.

Section 5.0 of the plan sets out information that must be supplied by applicants for a permit to discharge contaminants to air.

Sections 6.0 and 7.0 set out administrative procedures required by law on financial contributions, cross-boundary issues, monitoring and review of the plan.

Guide to consent applicants

This section of the readers' guide explains, in brief, how to find out whether a discharge of contaminants to air is regulated by the plan, and if so, the steps to be taken in applying for a discharge to air permit.

Step One: Consider whether there is a discharge of contaminants to air.

Step Two: If no, an air permit is not required.

If yes, find out whether the discharge is from industrial or trade premises, from waste management processes, or from intensive farming or aquaculture processes, involves the discharge to air of agrichemicals, or the burning of vegetation on production or forested land, or the burning of tyres or untreated used oil or fire training activities or fire safety research or education purposes. Refer to the definitions in Section 2.0 of the Plan.

Step Three: If the discharge:

- a) is from an **industrial or trade premises** (excluding waste management processes, as dealt with separately), break the activity down into parts. Consider whether the activity involves one or more of the following:
 - i) the discharge to air of contaminants from **combustion**, whether on industrial or trade premises or production land (if so, refer to Rules 1 to 7);
 - ii) the discharge to air of contaminants from the **combustion of materials containing metals** (if so, refer to Rule 8);
 - iii) the discharge to air of contaminants from **hydrocarbon well sites or gas treatment or production plants** (if so, refer to Rules 9 to 12);
 - iv) the discharge to air of contaminants **incidental to trade processes** as listed in Rules 13 to 16 (if so, refer to those Rules);
 - v) **abrasive blasting processes** (if so, refer to Rules 17 to 21);
 - vi) other **moveable or fixed industrial sources** as described in Rules 22 to 23 (if so, refer to those Rules);
 - vii) the discharge to air of **heat or water vapour from a fixed source** (if so, refer to Rules 24 to 28); or
 - viii) involves the use of **fumigants** (if so, refer to Rule 29).
- b) is from **waste management processes** (if so refer to Rules 30 to 41).
- c) is from **site development, earthworks or the application of soil conditioners** (if so, refer to Rules 42 to 45).
- d) is from **aquacultural or intensive farming processes**, break the activity down into parts. Consider whether the activity involves one or more of the following:
 - i) the discharge to air of contaminants from **aquacultural** processes (if so, refer to Rule 46);
 - ii) the discharge to air of contaminants from **intensive pig farming** (if so, refer to Rules 47 to 50); and
 - iii) the discharge to air of contaminants from **intensive poultry farming** (if so, refer to Rules 51 to 54).
- e) is from any other industrial or trade premises not listed in any other rule or where the activity is listed in a rule but the standards, terms or conditions for that rule cannot be met **OR**

is from production land, waste management processes, site development, earthworks, the application of soil conditioners, aquacultural or intensive farming processes where the activity is listed in a rule but the standards, terms or conditions for that rule cannot be met.

(if so, Refer to Rule 55).
- f) involves the spraying of **agrichemicals** on production land or within public amenity areas or roadside or railside verges (if so, refer to Rules 56 to 58);
- g) involves the **burning of vegetation** on production or forested land (if so, refer to Rules 59 and 60);
- h) involves **the burning of tyres or untreated used oil** (if so, refer to Rule 61); or
- i) is from **fire training or fire safety research or education purposes** (if so, refer to 62 and 63).

Note: if a discharge is from industrial or trade premises, it will require a discharge to air permit from the Taranaki Regional Council unless the plan expressly permits the discharge, in which case no permit is required. If there are no relevant rules in this plan applying to a discharge and the discharge is not from an industrial or trade premises, then the discharge activity does not require a discharge to air permit from the Taranaki Regional Council.

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

- a) If it is **permitted**, the activity can be carried out provided the conditions are met.

- b) If it is **controlled**, a discharge to air permit is needed and the Council must grant the permit if the standards and terms are met.
- c) If it is **restricted discretionary**, a discharge to air permit is needed, and the Council will decide whether to grant the consent. However, in deciding whether to grant consent, the Council is restricted to exercising its discretion over the list of matters specified in the 'control/discretion' column of the rule.
- d) If it is **discretionary**, a discharge to air permit is needed, and the Council will decide whether to grant the permit. This will usually depend on the effects of the activity and how well the proposed activity fits in with the policies in the Plan.
- e) If it is **non-complying**, a discharge to air permit is needed. The Council cannot grant a consent unless the effects of the activity are minor or the activity is not contrary to the objectives and policies of the plan. Even if this test is satisfied, the Council retains a discretion to grant or refuse a consent for the activity.
- f) If it is **prohibited**, the activity cannot proceed, and no discharge to air permit can be applied for.

Figure 1 (on page xii of the Plan) shows a simplified version of how the activity classifications work. Neither it nor this discussion can be treated as an exact substitute for the provisions of the Act.

Step Five If any parts of the activity require a discharge to air permit:

- a) check the policies referenced in the rule tables to find out which effects are of concern; and
- b) check the policies in Section 3 regarding Māori values; then
- c) prepare a document which describes the assessment of effects on the environment under Section 5.2 of the Plan; and
- d) make your discharge to air permit applications to the Taranaki Regional Council, and include the assessment of effects on the environment and any other information required under Section 5.0 of this Plan. Pre-application consultation with the Council is also recommended. Application forms can be obtained from the Taranaki Regional Council's website www.trc.govt.nz, from the Council office at 47 Cloten Road, Stratford or by phoning the Taranaki Regional Council on (06) 765 7127.

You may wish to consult with any people likely to be affected by your activity, including tangata whenua if their interests are affected.

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

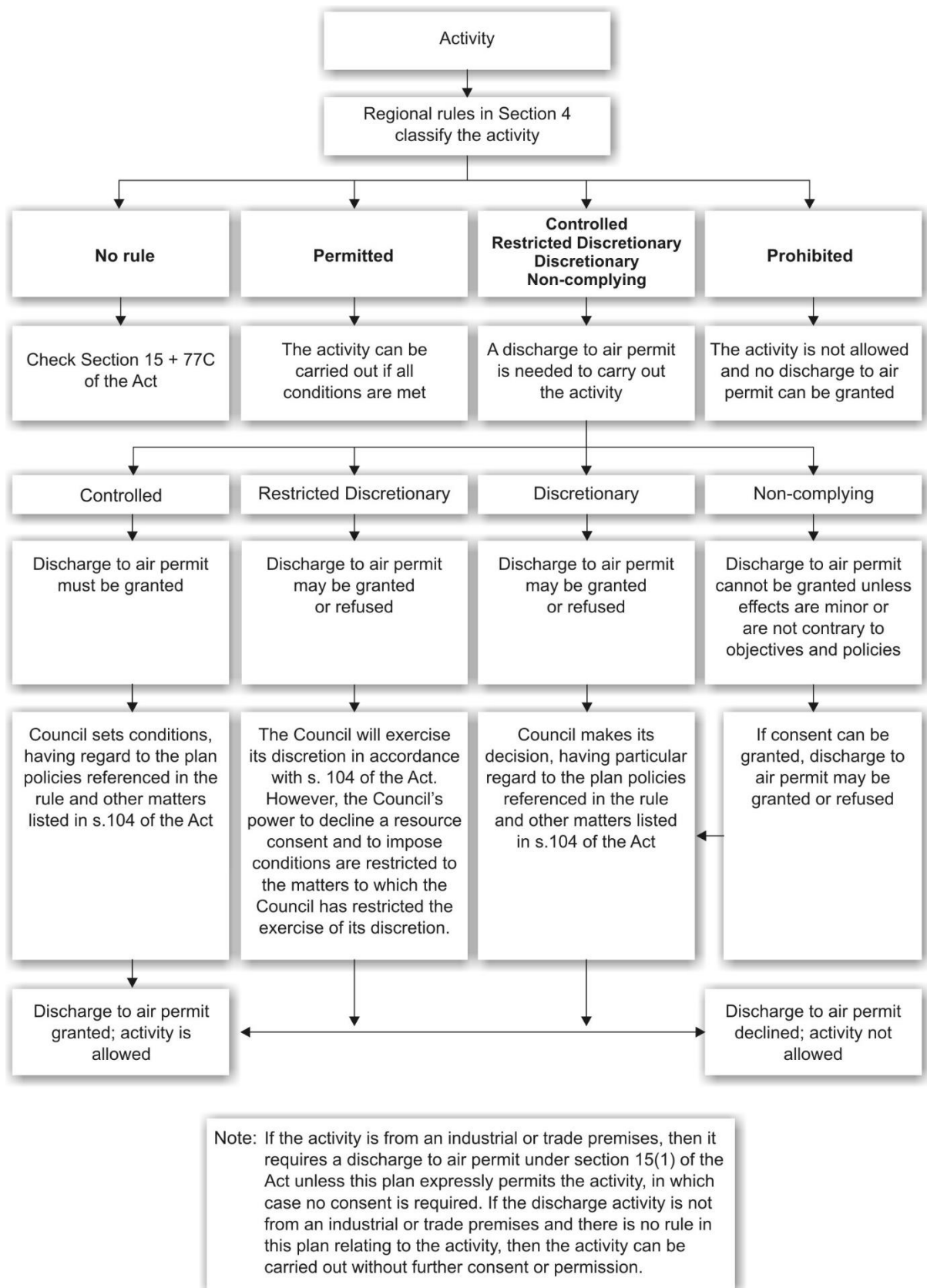


Figure 1: Activity classification

1 Introduction

1.1 Title

This regional air quality plan is known as the '*Regional Air Quality Plan for Taranaki*' (the 'Plan').

1.2 Purpose

The purpose of this Plan is to assist the Taranaki Regional Council to carry out its functions under the Act to promote the sustainable management of the air resource of the Taranaki region.

1.3 Operative date

This Regional Air Quality Plan is the second regional policy statement to be prepared by the Taranaki Regional Council and became operative on 25 July 2011. The Regional Air Quality Plan will be fully reviewed not later than 10 years from the date this Plan became operative. A five-year interim review will be undertaken of the results of monitoring the efficiency and effectiveness of the policies and methods in the Regional Air Quality Plan.

1.4 Area of effect

This plan has effect over the Taranaki Region, shown on SO Plan No. 13043 deposited with the Chief Surveyor of the Taranaki Land District, but does not have effect over the coastal marine area of the Taranaki Region.¹

1.5 Statutory restrictions on activities

Section 15 of the Resource Management Act 1991 restricts the discharge of contaminants into the environment, including discharges of contaminants into air. Those restrictions are outlined here for the benefit of plan users.

15. Discharge of contaminants into environment

- (1) No person may discharge any -
 - a) Contaminant or water into water; or
 - b) Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
 - c) Contaminant from any industrial or trade premises into air; or
 - d) Contaminant from any industrial or trade premises onto or into land -

unless the discharge is expressly allowed by a rule in a regional plan and in any relevant

proposed regional plan, a resource consent, or regulations.

- (2) No person may discharge any contaminant into the air, or into or onto land, from-
 - a) Any place; or
 - b) Any other source, whether moveable or not -in a manner that contravenes a rule in a regional plan or proposed regional plan unless the discharge is expressly allowed by a resource consent or allowed by Section 20A (certain existing lawful activities allowed).
- (3) This section shall not apply to anything to which section 15A or section 15B applies.

The effect of Section 15(1) of the Act is that if the discharge of contaminants to air is from any industrial or trade premises (defined in Section 2.0 of this plan) then the discharge is allowed only if it is authorised by a resource consent obtained from the Taranaki Regional Council or by a rule in a regional plan or proposed regional plan, or by regulations.

Section 15(2) of the Act provides that discharges to air from any other source are regulated only if covered by a rule in this plan. This means that discharges to air from places that are not industrial or trade premises (including farmland, residential properties and all moveable sources) are allowed, unless a rule in a regional plan or proposed regional plan provides otherwise.

Notwithstanding section 15(2) of the Act, section 15A(1)(b) of the Act addresses incineration of waste in the coastal marine area, and section 15B of the Act addresses the discharge of harmful substances from ships or offshore installations. As stated in section 1.4 of this Plan, this Plan does not have effect over the coastal marine area, so it does not cover discharges under sections 15A and 15B.

¹ The Regional Coastal Plan for Taranaki (1997), prepared and administered by the Taranaki Regional Council has effect in the coastal marine area of the Taranaki region.

1.5.1 National Environmental Standards and National Policy Statements

National Environmental Standards (NESs) and National Policy Statements (NPSs) are regulations issued by Government under Sections 43 and 45 of the Resource Management Act 1991. NESs prescribe technical standards, methods or requirements for duties and restrictions named under Part 3 of the Resource Management Act 1991. NPSs set out the national objectives and policies for matters of national significance that relate to achieving the purpose of the Resource Management Act 1991. Local authorities must recognise and give effect to NPSs and NESs within their planning documents.

Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004²

The Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004 were applied nationally from 8 October 2004 - meaning that in regard to ambient air quality, each local authority must enforce the same minimum standards.

14 standards were introduced. They are:

- Seven activity standards that ban various activities that discharge unacceptable quantities of dioxins and other toxics into the air. The activities are listed below:
 - landfill fires
 - burning of tyres in the open
 - bitumen burning for road maintenance
 - burning of coated wire in the open
 - burning of oil in the open
 - high temperature hazardous waste incinerators (**note:** this does not apply if the incinerator is a crematorium or located at 89 Paritutu Road New Plymouth)³
 - school/healthcare incinerators unless resource consent obtained.
- Five ambient air quality standards for carbon monoxide (CO), fine particles (PM₁₀), nitrogen dioxide (NO₂), sulphur dioxide (SO₂) and ozone (O₃).

The standards require the following:

- an ambient air quality concentration of 10 mg/m³ (eight-hour average) for carbon monoxide (CO). One exceedance allowed in a 12-month period.

- an ambient air quality concentration limit of 200 µg/m³ (one-hour average) for NO₂. Nine exceedances allowed in a 12-month period.
- an ambient air quality concentration limit of 150 µg/m³ (one-hour average) for O₃. The standard must be met for 100 per cent of the time with no allowable exceedances.
- an ambient air quality concentration limit of 50 µg/m³ for fine particles (PM₁₀) as a 24-hour average. One exceedance allowed in a 12-month period.
- an ambient air quality concentration limit of 350 µg/m³ (one-hour average) for SO₂. Nine exceedances allowed in a 12-month period.
- a maximum ambient air quality concentration limit of 570 µg/m³ (one-hour average) for SO₂. This must be met for 100 per cent of the time with no allowable exceedances.
- A design standard for new small-scale domestic wood-burning appliances, and the discharge from certain open fires prohibited.
- A requirement for landfills over 1 million tonnes of refuse to collect greenhouse gas emissions.

The requirements of the NES are in addition to those given in this Plan.

Users of the Plan should also check for the existence of any new NES's relating to air quality.

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

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (the NES) were applied nationally from 14 January 2010.

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

The NES:

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

² The title of these Regulations, previously "Resource Management (National Environmental Standards Relating to Certain Air Pollutants, Dioxins, and Other Toxics) Regulations 2004" was amended, as from 1 June 2011, by reg 4(1)(a) Resource Management (National Environmental Standards for Air Quality) Amendment

Regulations 2011 (SR 2011/103) by substituting "for Air Quality" for "Relating to Certain Air Pollutants, Dioxins, and Other Toxics".

³ There are also an additional two locations outside of Taranaki that the ban does not apply to (refer to NES).

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

The requirements of the NES are in addition to those given in this Plan. The NES contains rules that apply to Electricity Transmission Activities and in these cases, the relevant rules in this Plan do not apply. This is indicated in the appropriate place in the rule table in section 4.3 of this Plan. The relevant rules from the NES are included in Appendix I of the Plan.

Users of the Plan should also check for the existence of any new NES's relating to air quality.

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017⁴

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

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

Eight core plantation forestry activities are covered, these being:

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

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

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

Resource Management (National Environmental Standards for Greenhouse

Gas Emissions from Industrial Process Heat) Regulations 2023⁵

The Resource Management (National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (NES-GHGI) was came into force on 27 July 2023. The NES-GHGI sets out a national rules framework that:

- prohibits the discharge of industrial GHG emissions from the burning of some fossil fuels, mainly coal, under certain circumstances;
- sets nationally consistent rules for the discharge of industrial GHG emissions;
- fixes a maximum duration for consents;
- establishes nationally consistent best practice requirements;
- makes new requirements for emissions plans.

National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023⁶

The National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat (NPS-GHGI) was gazetted on 29 June 2023 and works alongside the NES-GHGI above. The NPS-GHGI creates nationally significant objectives and policies for mitigating climate change. It achieves this goal by regulating greenhouse gas emissions from industrial heat production, when manufacturing products and processing raw materials, to protect the environment and promote the wellbeing of current and future generations.

In addition, regional council's are required to implement this national direction by directly inserting two clauses (from Part 3 of NPS-GHGI) into their regional plans under Section 55(2)(A)(a) of the Resource Management Act 1991. These clauses will:

- set requirements for how cumulative effects must be considered when assessing a resource consent that involves the discharge greenhouse gases to air from heat devices;
- set mandatory provisions for assessing emissions plans when a resource consent involves discharging greenhouse gases to air from heat devices.

1.6 Role of the Medical Officers of Health/Health Protection Officers

The Taranaki District Health Board is able to contribute to air quality objectives set out in this Plan through the provisions of the Health Act 1956, and the Hazardous Substances and New Organisms (HSNO) Act 1996.

from Industrial Process Heat) Regulations 2023 was introduced under Section 43 of the Act.

⁶As of 29 June 2023 the NPS-GHGI was notified in the New Zealand Gazette and comes into force on 27 July 2023.

⁴ As of 31 July 2017 the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 was introduced under Sections 43 and 43A of the Act.

⁵ As of 26 June 2023 the Resource Management (National Environmental Standards for Greenhouse Gas Emissions

Under section 123 of the Health Act the District Health Board is the default agency to conduct any sanitary work pursuant to this Act, if the local authority fails to start or complete this work.

In Schedule 2 of the Health Act, there is a responsibility to notify the Medical Officer of Health (MOH) of any infectious/communicable disease, this includes a chemical poisoning incident. A chemical poisoning incident can be a public health issue that has occurred during a agrichemical spraying operation. Close liaison is maintained with the Environmental Risk Management Authority (ERMA), Department of Labour (DOL) and the Taranaki Regional Council to determine if the 'chemical' is classified as a hazardous substance, and if the issue is to be referred to another agency, if appropriate.

Note: as outlined in Section 4.2.3 of the Plan, it is ERMA that considers applications to introduce hazardous substances and new organisms.

1.7 Other plans and resource consents

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

1.8 Other statutes and regulations

The provisions of this Plan do not replace other legislation, regulations or bylaws relating to air quality. These may include legislative requirements, regulations or bylaws made by the New Plymouth, Stratford or South Taranaki District Councils under the Local Government Act 1974, Local Government Act 2002, Health Act 1956, Forest and Rural Fires Act 1977 or legislation dealing with hazardous substances. Those responsible for discharges of contaminants to air should ensure their compliance with all other relevant legislation, regulations or bylaws.

1.9 Structure

The structure of this plan is based upon the requirements for a regional plan as set out in Section 67(1) of the Resource Management Act. Section 2.0 contains the interpretation of terms used in this plan.

Section 3.0 provides a brief overview of the air quality issues of the region, the objectives for air quality in the region, the policies to implement the

objectives and methods (other than rules) to be used to implement the policies.

Section 4.0 contains the details of regional rules which are used to implement the policies in Section 3.0.

Section 5.0 sets out the information to be submitted with an application for a discharge to air permit. In addition, that section explains the requirements for an assessment of environmental effects and the circumstances in which the Council may require further information relating to an application for a discharge permit.

Section 6.0 sets out the circumstances in which a financial contribution may be required, the method for calculating the amount of that contribution and the general purposes for which the contribution may be used.

Section 7.0 sets out administrative procedures for dealing with cross-boundary issues, monitoring the effectiveness of the plan, and for reviewing the plan.

2 Definitions

When a word is followed by an asterisk '*', the meaning which follows is the meaning provided in the Act. Users of this plan are advised that they should refer to the Act to ensure that the definition that is included in the plan is the current statutory definition. In the case of any inconsistency, the statutory definition prevails.

Abrasive blasting means the cleaning, smoothing, roughening, cutting or removing of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, short or grit or other material propelled by a blast of compressed air or steam or water or by a wheel.

Dry abrasive blasting means abrasive blasting using materials to which no water has been added.

Wet abrasive blasting means abrasive blasting to which water has been added.

Act means the Resource Management Act 1991.

Affected person means any person deemed adversely affected in section 95E of the Act.

Air means the mixture of gases enveloping the earth and forming the atmosphere.

Agrichemicals means any substance, whether inorganic or organic, human-made or naturally occurring, modified or in its original state, that is used on production land or within public amenity areas, including parks, reserves, pedestrian walkways, beaches and foreshore areas, road and railside verges or on, over, onto or into water, to eradicate, modify or control flora and fauna. For the purpose of this Plan 'agrichemicals' do not refer to chemicals used to treat water intended for use in municipal supply or industrial processes (i.e. cooling systems, boilers, abstraction for consumptive use) while not part of a water body nor do 'agrichemicals' include vertebrate toxic agents (VTA's), or oral nutrition compounds or fertilisers. VTA's are subject to the Hazardous Substances and New Organisms (HSNO) Act 1996 and under the Act anyone who manufactures, sells, uses or stores VTA's must hold a Controlled Substances Licence and manage VTA's according to the HSNO Act. VTA's are therefore not controlled under this Plan. Oral nutrition compounds are subject to the Agrichemical Compounds and Veterinary Medicines Act 1997 and are therefore not controlled under this Plan. The application of fertilisers is controlled by Rule 45 in the Plan 'Fertiliser and other soil conditioners'.

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

Asphalt plant means any process for the blending or coating of road chip with any material based on tar or

bitumen or asphalt and intended for road surfacing application.

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

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

Chemical means any gas, liquid or solid that, either by itself or in combination with any contaminant, when discharged into air, changes or is likely to change the chemical or biological condition of air.

Cleanfill means materials consisting of any concrete, cement or cement wastes, bricks, mortar, tiles (clay, ceramic or concrete), non-tanalised timber, porcelain, glass, gravels, boulders, shingles, fibreglass, plastics, sand, soils and clays, and/or tree stumps and roots, or any other material (subject to the exclusions listed below) that when placed onto and into land does not have the potential to render that land or any vegetation grown on that land toxic to vegetation or animals consuming vegetation, or result in leachate. Unless specifically provided for otherwise through a consent issued by the Taranaki Regional Council for a cleanfill, cleanfill is free of: food wastes, paper and cardboard, grass clippings, garden wastes including but not limited to wastes containing foliage or other vegetation (other than tree stumps and roots), sawdust, textiles, steel, galvanised metals, construction materials containing paint or fillers or sealers or their containers, oils or greases or any liquids or sludges or their containers, any industrial process by-products other than as permitted above, any poisons or solvents or their containers, batteries, or general domestic refuse other than as permitted above.

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

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

Combustion chamber means an enclosure in which combustion, especially of a fuel propellant, is initiated and controlled.

Commercial area means an area, as distinct from a site or individual property, that is used primarily for commercial or trade purposes.

Commercial activities means the use of property or parts of property predominantly for commercial gain or reward.

Composting means the biological reduction of organic waste to a relatively stable product.

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

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

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

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

Controlled activity* - If an activity is described in the Act, regulations (including any national environmental standard), a plan, or a proposed plan as a controlled activity, a resource consent is required for the activity and -

- a) the consent authority must grant the resource consent, (except if section 106 applies); and
- b) the consent authority's power to impose conditions on the resource consent is restricted to the matters over which control is reserved (whether in its plan or proposed plan, a national environmental standard, or otherwise); and
- c) the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan or proposed plan.

Cropping means the growing of crops including barley, oats, maize, turnips and other crops.

Dangerous see section 4.2.3 of this Plan.

Defined urban area means an area as shown in Appendix II of the Plan.

Direct heating means the direct contact of gaseous or other products of combustion with raw materials or partly processed matter or product or waste materials, for drying or heating or other heat transfer processes, but excluding the transfer of heat via structural heat exchanging surfaces or combustion chamber surfaces or exhaust flue surfaces. For the purpose of the Plan 'direct heating' does not include the addition of heat to air in a gas turbine combustion chamber.

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

Discharge permit means a resource consent to do something (other than in the coastal marine area) that otherwise would contravene Section 15 of the Act.

Discretionary activity* - If an activity is described in the Act, regulations (including any national environmental standard), a plan, or a proposed plan as a discretionary activity, a resource consent is required for the activity and-

- a) the consent authority may decline the consent or grant the consent with or without conditions; and
- b) if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

Disposal of waste means:

- a) the final (or more than short-term) deposit of waste into or onto land set apart for that purpose; and
- b) includes the incineration of waste.

Domestic waste means household substances or objects that are disposed of or intended to be disposed of.

Dry cleaners mean premises used for the cleaning, washing or drying of garments.

Dust means all solid particulate matter of either less than 75 µm individual particle diameter or with a settling velocity of less than 0.3 metres per second. By way of example, 'dust' may be derived from materials including sand, cement, fertiliser, coal, soil, paint, ash, animal products or wood.

Dwellinghouse* means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited.

Earthworks means the disturbance of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting and filling operations, excluding mineral extraction and processing activities. For the purpose of this Plan the maintenance of farm tracks, fences and fence lines, cultivation of land, harvesting of crops and the clearing of drains as parts of horticultural or agricultural activities on production land are excluded from the definition of 'earthworks'.

Ecosystem⁷ means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

Effect* includes:

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

⁷ United Nations Convention on Biological Diversity, 1992.

- f) any potential effect of low probability which has a high potential impact.

Electricity transmission network means part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

Environment* includes:

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

Fertiliser means any substance (whether solid or fluid in form) which is described as or held out to be for, or suitable for, sustaining or increasing growth, productivity, or quality of plants or animals through the application of essential nutrients to plants or soils.

Forested land means land covered or partly covered by forest, bush, scrub, fern, bracken or weed plants or any combination of these.

Forestry means a forest of selected species of trees that are specifically planted, managed and harvested for the production of timber or other wood-based products, and includes understory that has established beneath the canopy and areas that are demonstrated to be failed planting from the previous rotation.

Green waste means organic material including, yard trimmings, leaves, shrubs, plants, grass, trees and tree trunks that arise from households and garden maintenance.

Hapū⁸ means sub-tribe, usually a number of whanau (families) with a common ancestor.

Hazardous see section 4.2.3 of this Plan.

Hazardous substance means, unless expressly provided otherwise by regulations under the Hazardous Substances and New Organisms Act 1996, any substance:

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

the properties specified in paragraph (a) of the definition.

High temperature hazardous waste incinerator means an incinerator that is designed and operated principally for burning hazardous waste at a temperature greater than 850° as measured –

- (a) near the inner wall of the incinerator; or
- (b) at another point in the combustion chamber where the temperature is likely to represent the temperature in the incinerator.

Note: this is the definition of a high-temperature waste incinerator in the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004. For the purpose of this Plan this definition applies whether the wastes combusted are hazardous or non-hazardous.

Horticulture means the growing, both indoors and outdoors, of vegetables, fruit, berries, plants or trees.

Hydrocarbon distribution and transmission network means the pipelines, tanks and other facilities used for the transportation and storage of hydrocarbons.

Industrial or trade premises* means:

- a) any premises used for any industrial or trade purposes; or
- b) any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes, or used for composting organic materials; or
- c) any other premises from which a contaminant is discharged in connection with any industrial or trade process; but does not include any production land.

Industrial or trade process* includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.

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

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

⁸ Ministry for the Environment (1991). *Consultation with tangata whenua*. Ministry for the Environment, Wellington.

promoting sustainable management of natural and physical resources.

Intensive farming includes any agricultural production which results in the creation of living matter and which is carried out primarily within buildings, including but not limited to such activities as **intensive poultry farming** (excluding low density **free range poultry** or the keeping of fewer than 12 birds), rabbit or fitch farming, **intensive pig farming** or mushroom production. For the purpose of this Plan 'intensive farming' excludes horticulture.

Intensive pig farming means the keeping, breeding or rearing for any purpose of more than five pigs that have been weaned, or more than two sows, where the predominant productive processes are carried out within buildings or closely fenced outdoor runs where the stocking density precludes the maintenance of pasture or ground cover but excludes **non-intensive pig farming**.

Intensive poultry farming means the keeping, rearing or breeding of 12 or more poultry, whether in relation to the production of poultry for human consumption or in relation to egg production, where the predominant productive processes are carried out primarily within buildings and includes free-range poultry farming activities, but excludes **low density free-range poultry**.

Issue means a matter of importance or concern to the region's community regarding the effects of activities on some aspect of natural and physical resources and the environment of the region or otherwise relating to the purpose and principles of the Act.

Iwi⁹ means tribe, usually containing a number of hapū with a common ancestor.

Iwi authority* means the authority which represents an iwi and which is recognised by that iwi as having authority to do so.

Iwi o Taranaki or iwi of Taranaki refers to iwi whose rohe falls either wholly or partially within the Taranaki Region.

Kaitiakitanga* means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

Land* -

- (a) includes land covered by water and the air space above land; and
- (b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and
- (c) in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.

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

Liquid waste means waste generated in, or converted to, a liquid form for disposal.

Local authority* means a regional council or territorial authority.

Low density free range poultry means the keeping, rearing or breeding of poultry (whether for the purpose of raising poultry for human consumption or for egg production) where:

- a) birds have permanent access to open air runs;
- b) permanent vegetation cover exists on the land where birds are permitted to range;
- c) the stocking rate of the runs to which the birds have access does not exceed 1.5 birds including chickens per square metre or 0.8 hens per 10 square metres; and
- d) the stocking rate of any permanent weatherproof shelter to which birds have access does not exceed 5 birds per square metre of deep litter floor space or 10 birds per square metre of slatted floor space or 13 birds per square metre on framed perches.

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

Mineral extraction and processing activities means the excavation of overburden, rock, sand and clay; blasting; processing (crushing, screening, washing and blending); the storage, distribution and sale of materials, including aggregate, ancillary earthworks; deposition of overburden; landscaping and rehabilitation works, including the return of overburden, but excluding the importation of materials from offsite. For the purpose of this definition all the activities listed above are included if and only if they occur at the mineral extraction and processing site.

National environmental standards for air quality means the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004 (SR 2004/309), as amended by SR 2004/433, SR 2005/214, and SR 2011/103 and 'NES' has the same meaning.

National grid means the assets used or owned by Transpower New Zealand Limited.

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.

Non-complying activity* - If an activity is described in the Act, regulations (including any national environmental standard), a plan, or a proposed plan as a non-complying activity, a resource consent is required for the activity and the consent authority may-

- a) decline the consent; or
- b) grant the consent, with or without conditions, but only if the consent authority is satisfied that the requirements of section 104D are met and the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

⁹ Ministry for the Environment (1991). *Consultation with tangata whenua*. Ministry for the Environment, Wellington.

Non-intensive pig farming means the keeping, breeding or rearing for any purpose, of pigs on pasture (but including areas used for access to shelter) at a stocking density that sustains the maintenance of pasture or ground cover.

Noxious see Section 4.2.3 of this Plan.

NTP (normal temperature and pressure) means that the gas volume is corrected to 0°C, 1 atmosphere pressure, and a dry gas basis.

Objective means a statement of a specific desired environmental outcome.

Offensive or objectionable see Section 4.2.3 of this Plan.

Pastoral agriculture means the pastoral grazing of livestock and includes dairy farming, sheep farming, beef farming, pig farming, (excluding intensive pig farming), deer farming, goat farming and other pastoral livestock farming.

Permitted activity* - If an activity is described in the Act, regulations (including any national environmental standard), a plan, or a proposed plan as a permitted activity, a resource consent is not required for the activity if it complies with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

Petroleum means:

- a) any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid or solid state; or
- b) any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid or solid state; or
- c) any naturally occurring mixture of one or more hydrocarbons (other than coal) and one or more of the following: hydrogen sulphide, nitrogen, helium or carbon dioxide.

Petroleum exploration means the use of land for exploration and testing of petroleum, and includes exploration survey (including seismic survey), well drilling, well testing and interim production of petroleum but specifically excludes any activity associated with well site establishment such as earthworks and the importation of structures, buildings and equipment.

Petroleum product means a chemical that is produced as a result of refining or physical treatment of petroleum, or as a result of a chemical process in which petroleum is a reagent.

Place of public assembly means land or buildings which are used in whole or in part for the assembly or gathering of people for such purposes as meetings, conferences, worship, entertainment, recreation, celebration, education or similar purposes and includes such buildings associated with public or private hotels, travellers' accommodation and marae.

Plan* means a regional plan or district plan.

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

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

Port Air Zone means the approximate boundary of Port Taranaki that is to be covered by the Regional Air Quality Plan for Taranaki as outlined in Figure 2.

Premises means the legally defined property, whether private land or public land, within which the subject activity occurs.

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

Prohibited activity* - If an activity is described in the Act, regulations (including a national environmental standard), a plan, or a proposed plan as a prohibited activity, -

- (a) no application for resource consent may be made for the activity; and
- (b) the consent authority must not grant a consent for it.

Property (see subject property) when being discussed in relation to the property of Port Taranaki excludes those areas adjacent to Ngamotu Beach and the Lee Breakwater shown on Figure 2 on page 25 of this Plan.

Subject property means the legally defined property, whether private land or public land, within which the subject activity occurs.

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

Public amenity areas mean those areas to which the public have right of access under any statute, regulation, law or by-law, including:

- a) Crown and Council properties, reserves, gardens, parks, cemeteries and airfields;
- b) grasslands, sports grounds and recreational turfs;
- c) forest and bush areas;
- d) road verges and embankments, pedestrian walkways, malls and precincts;
- e) beaches, beach reserves, and adjacent foreshore areas.

Public notice* means a notice published in a newspaper circulating in the entire area likely to be affected by the proposal to which the notice relates.

Quarry - see mineral extraction and processing activities.

Race course means the premise for the racing of vehicles or animals for commercial or trade purposes.

Region* in relation to a regional council, means the region of the regional council as determined in accordance with the Local Government Act 2002.

Regional council*

- a) has the same meaning as in section 5 of the Local Government Act 2002; and
- b) includes a unitary authority within the meaning of that Act.

Regional plan* (a) means an operative plan approved by a regional council under Schedule 1 (including all operative changes to the plan (whether arising from a review or otherwise)); and (b) includes a regional coastal plan.

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

Residential purposes means the use of land and buildings by people for living accommodation where the occupiers intend to live at the site for a period of one month or more, and will generally refer to the site as their home and permanent address for the time being; and includes accessory buildings.

For the purpose of this definition, residential purposes (irrespective of the length of stay) shall include:

- a) accommodation offered to not more than four travellers for a daily tariff in association with a permanent resident as described above; or emergency and refuge accommodation; or
- b) accommodation for supervision staff and residents, where residents are subject to care or supervision (e.g. homes for persons with disabilities, and homes for the elderly), but not places where residents are subject to detention.

Restricted discretionary activity* - If an activity is described in the Act, regulations (including any national environmental standard), a plan, or a proposed plan as a restricted discretionary activity, a resource consent is required for the activity and:

- a) the consent authority's power to decline a consent, or to grant a consent and to impose conditions on the consent, is restricted to the matters over which discretion is restricted (whether in its plan or proposed plan, a national environmental standard, or otherwise); and
- b) if granted, the activity must comply with the requirements, conditions and permissions, if any, specified in the Act, regulations, plan or proposed plan.

Rohe¹⁰ means the territory or boundary, which defines the area within which a tangata whenua group claims traditional association and mana whenua.

Sensitive activities – see Sensitive areas.

Sensitive areas are areas that have within them uses or values or activities that are more susceptible to

adverse effects than other users or values or activities and include occupied dwellinghouses, public amenity areas, places of public assembly, water bodies used for public water supply, any water body, wetlands, sensitive crops or farming systems, public roads and any place, area or feature of special significance to tangata whenua. For the Purpose of this Plan **'Sensitive activities'** means the activities that occur within sensitive areas as listed above.

Service station means premises used for the retail distribution of motor fuels.

Sewage means any wastewater, including faecal matter, urine, household and commercial wastewater that contains human waste.

Silviculture means the growing and tending of trees.

Smoke means any product of combustion, complete or incomplete, other than water vapour, which is, or could be, visible in daylight or artificial light.

Soil conditioner means a substance, excluding any substance or mix of substances derived from animal tissue, bone or blood whether processed or not, that is added to a fertiliser, or applied to land by itself, that alters the physical/structure characteristics of the soil, with the purpose of increasing soil productivity.

Solid waste means waste generated as a solid or converted to a solid for disposal. It includes wastes such as: paper, plastic, glass, metal, garden and other organic wastes.

Spray means the discharge into the air of agrichemicals whether in liquid, emulsified, mist, granular, powdered, pelletized or any other physical form or forms and from any source whether moveable or not, and **'Spraying'** has a corresponding meaning.

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

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

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

Tangata whenua* in relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area.

Taonga¹¹ means treasure, property: taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may

¹⁰ Parliamentary Commissioner for the Environment, (1992), op.cit

¹¹ Parliamentary Commissioner for the Environment, (1991), op. cit.

be things that cannot be seen or touched. Included for example are te reo Māori (the Māori language), wāhi tapu, the air, waterways, fishing grounds and mountains.

Tapu means under spiritual protection or restriction.

Territorial authority* means a territorial authority within the meaning of the Local Government Act 2002.

Tikanga Māori* means Māori customary values and practices.

Toxic see Section 4.2.3 of this Plan.

Transmission network means the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

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

Used oil means oil which has been used for the purposes of machinery lubrication but which has not subsequently been treated by any methodology to reduce the lead content to less than 100 gm⁻³. For the purpose of this Plan 'used oil' excludes untreated used oil that has a lead content of less than 100 gm⁻³¹².

Vegetation means any vegetation, exotic or indigenous.

Vertebrate Toxic Agents (VTA's) means any substance, whether inorganic, human-made or naturally occurring, modified or in its original state, that is used to eradicate, modify or control vertebrate animals, including possums, rats and mustelids as identified and regulated under the Hazardous Substances and New Organisms Act 1996. For the purpose of this Plan 'Vertebrate Toxic Agents' are equivalent to vertebrate pest control products.

Visual contaminants means those discharges to the air that reduce the visual amenity of the air, including but not limited to contaminants such as smoke and dust.

Wāhi tapu means a place that is sacred to Māori in a traditional, spiritual, religious, ritual or mythological sense.

Waste means substances or objects that are or intended to be disposed, discarded, and/or discharged to the environment.

Waste management processes means the treatment and disposal of any **waste** by combustion, composting, the depositing of waste into or onto land set apart for

that purpose, or other processes intended to allow or facilitate such disposal.

Water* -

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

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

¹² The acceptable level of the lead content in used oil that is to be combusted is less than 100 gm⁻³, due to the toxicity of the discharge.

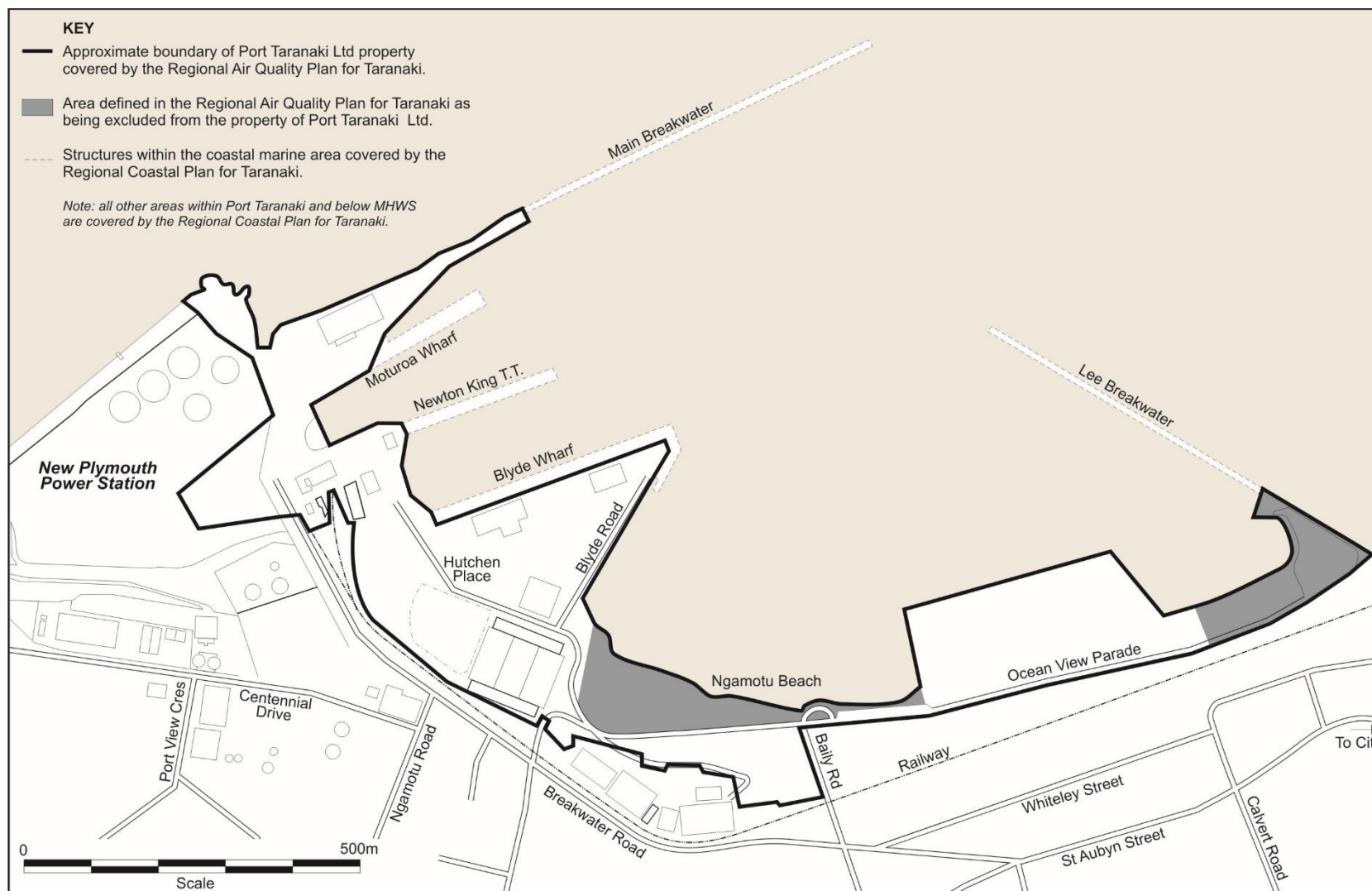


Figure 2: Property of Port Taranaki covered by the Regional Air Quality Plan for Taranaki

3 Objectives, policies and methods of implementation

3.1 Air quality in Taranaki

Clean fresh air is an important and valued part of Taranaki's environment and quality of life.

Overall Taranaki has excellent air quality. This is because of Taranaki's windy and exposed nature, together with its dispersed and low population, its absence of heavy industry and its low number of vehicles. However, air quality in some locations is lost or reduced through activities resulting in point or diffuse source discharges of contaminants to air.

Diffuse (widespread) sources of emissions are the biggest contributors of emissions to air. Of the diffuse sources, natural sources (sea spray, vegetation, landcover and farm animals) emit far greater quantities than human sources such as industries, homes or motor vehicles.

Point sources of emissions such as from industry are more obvious than natural sources. Point source emissions in Taranaki come from a range of sources such as the petroleum industry, pig and poultry farming and abrasive blasting. Most of the point source emissions are located in the industrial parts of the region's urban centres, particularly New Plymouth and Hawera.

Emissions to air – in the form of odour, smoke, dust or toxic contaminants – may affect air quality. The effects of such emissions range from visual distraction, offensive odours and nuisance effects to actual or potential effects on human and ecosystem health.

In some localities, 'reverse sensitivity' issues may be a problem. Reverse sensitivity refers to situations where lawfully established activities, that have addressed off site effects as far as is practicable and reasonable, may become constrained by the emergence of new and often incompatible sensitive land uses in the neighbourhood. In Taranaki, reverse sensitivity issues are particularly associated with the development of new residential subdivisions near existing piggery or poultry farms, which then become a target of complaints relating to odour and other air emissions. However, other activities may also be affected from time to time.

Industry, agriculture and households rely on contaminants being able to be discharged to air. This provides benefits to the Taranaki community and to New Zealand as a whole which enables those communities to provide for their economic and social wellbeing. Discharges to air must, however, be properly controlled and managed to satisfactorily avoid, remedy or mitigate any adverse environmental effects.

3.2 Issues for managing air quality in Taranaki

The issues addressed by the Plan are:

- degradation of air quality from the discharge of contaminants to air;
- recognition of the air resource as a taonga and protection of wāhi tapu from the intrusion of odour or visual contaminants;
- adverse effects on the environment from the discharge of contaminants to air from industrial and trade premises (excluding waste management processes, as dealt with separately);
- adverse effects on the environment from the discharge of contaminants to air from waste management processes;
- adverse effects on the environment from the discharge of contaminants to air from site development, earthworks and the application of soil conditioners;
- adverse effects on the environment from the discharge of contaminants to air from aquaculture and intensive farming processes;
- adverse effects on the environment from the discharge of agrichemicals into the air;
- adverse effects on the environment from the burning of vegetation on production or on forested land;
- adverse effects on the environment from the burning of tyres or untreated used oil;
- adverse effects on the environment from the discharge of contaminants to air from fire training activities or fire safety research or education purposes;
- adverse effects on the environment from domestic sources of discharges of contaminants to air;
- recognition of the benefits from activities discharging to air.

3.3 Objectives for managing air quality in Taranaki

Four objectives have been identified for air quality in the Taranaki region:

- 1 To maintain the existing high standard of ambient air quality in the Taranaki region and to improve air quality in those instances or areas where air quality is adversely affected, whilst allowing for communities to provide for their economic and social wellbeing.
- 2 To safeguard the life-supporting capacity of air throughout the Taranaki region.
- 3 To provide for activities discharging to air.
- 4 To avoid, remedy or mitigate the adverse effects of activities discharging contaminants

to air in the Taranaki region, including adverse effects on the amenity and aesthetic qualities of air.

3.4 Policies to implement the objectives

The policies to implement the objectives are grouped into eleven categories:

1. Contaminants and effects.
2. The management of air quality.
3. Protection of the air resource (taonga) and wāhi tapu from the intrusion of odour and visual contaminants.
4. Discharge of contaminants to air from industrial or trade premises or industrial or trade processes (excluding waste management processes).
5. Discharge of contaminants to air from waste management processes.
6. Discharges of contaminants to air from site development, earthworks or the application of soil conditioners.
7. Discharges to air from aquaculture or intensive farming processes.
8. Discharge of agrichemicals to air.
9. Burning of vegetation on production or forested land.
10. Discharges to air from fire training activities or fire safety research or education purposes
11. Discharges to air from domestic sources.

The policies are as follows:

1 Contaminants and effects

Policy 1.1: Hazardous, noxious, dangerous or toxic contaminants

Discharges to air of contaminants should avoid, remedy or mitigate adverse effects of potentially hazardous, noxious, dangerous or toxic contaminants by ensuring that any such discharge does not occur at a volume, concentration or rate or in such a manner that causes or is likely to cause a hazardous, noxious, dangerous or toxic effect on human or animal health, significant ecosystems or structures.

(This policy relates to objective 1)

Policy 1.2: Odour

Ensure that, (to the fullest extent practicable), any discharges to air of odorous contaminants do not cause odours beyond the boundary of the property of the discharger that are offensive or objectionable.

(This policy relates to objectives 1 and 4)

Policy 1.3: Smoke, dust and other particulate matter

Ensure that any discharge to air of dust, smoke and other particulate matter beyond the boundary of the property, and on the electricity transmission network, does not occur at a volume, concentration, or rate or in a manner that causes or is likely to cause a hazardous, noxious, dangerous, offensive or objectionable effect, including the significant restriction of visibility or the soiling of property, to the extent that the restriction of visibility or the soiling of property causes or is likely to cause the above effects.

(This policy relates to objectives 1, 2 and 4)

2 The management of air quality

Policy 2.1: General policy

The Taranaki Regional Council will promote the air quality objectives of the region through means which:

- a) reflect the nature of the discharge and the actual or potential effects of the discharge on the environment, and in particular, any effects on human health, flora and fauna and the amenity values of the area or region;*
- b) avoid, remedy or mitigate any adverse effects of the discharge;*
- c) are administratively efficient and cost-effective for the community, resource users and the Council;*
- d) recognise the need for co-ordinated and integrated management of air quality at local, regional, national and global levels;*
- e) provide opportunities for members of the public to register with the council, complaints about discharges to air and for Council to investigate and determine the substance of such complaints;*
- f) recognise the social and economic benefits to the region and to the nation of activities discharging to air*
- g) recognise existing investment in physical and economic resources, associated with activities discharging to air; and*
- h) recognise that there are different air quality expectations between urban areas and productive, rural areas.*

(This policy relates to objectives 1, 2, 3 and 4)

Policy 2.2: Control of discharges

The Taranaki Regional Council will exercise its functions and powers to control the adverse effects of the discharge of contaminants to air through regional rules which:

- a) *permit, subject to conditions, discharges with no or only minor adverse effects on the environment;*
- b) *define acceptable environmental standards, terms and assessment criteria and provide a streamlined resource consent procedure for discharges requiring a discharge permit;*
- c) *prohibit discharges with unacceptable adverse effects on the environment; and*
- d) *regulate those discharges with the potential for significant adverse effects on the environment which in the absence of a regional plan would remain unrestricted or uncontrolled.*

(This policy relates to objectives 1, 2 and 4)

Policy 2.3: Management areas

Air quality management in Taranaki will be carried out in a way that recognises that some areas of the region have within them, uses or values or activities that are more sensitive to the discharge of contaminants to air than other areas. In particular, recognition will be given to any adverse effects from the discharge of contaminants to air on:

- a) *people and property in urban areas, residences and places of public assembly and on the safe and efficient operation of roads, airports and flight paths¹³ and other infrastructure;*
- b) *sensitive crops or farming systems, domestic and community water supplies and other water bodies including wetlands;*
- c) *sensitive commercial or industrial systems and activities;*
- d) *the special scenic, visual, recreational, conservation, scientific and other values associated with Mount Taranaki and Egmont National Park;*
- e) *the scenic, aesthetic and recreational values associated with Taranaki's parks, reserves, rural landscapes, seascape, coastal areas and other amenity areas;*
- f) *the heritage values of the region including places or areas of special historical, cultural, archaeological, architectural, scientific, ecological, intrinsic or amenity value;*
- g) *places, areas or features of significance to tangata whenua for spiritual, cultural or historical reasons; and*

¹³ A map of the New Plymouth airport flight path is contained in New Appendix III of the Plan.

- h) *the electricity transmission network.*

(This policy relates to objectives 1, 2 and 4)

Policy 2.4: Cross-media effects

The potential for the discharge of contaminants to air to adversely affect other alternative receiving environments (i.e. land and water) should be taken into account.

(This policy relates to objectives 1, 2 and 4)

Policy 2.5: Reverse sensitivity

Land use and subdivision should be managed to avoid, remedy or mitigate adverse effects on people and the environment from reverse sensitivity effects arising from the inappropriate location of sensitive activities in proximity to legitimate activities discharging contaminants to air.

Problems arising from reverse sensitivity effects shall be avoided, remedied or mitigated primarily through district plans and territorial authority consent decisions which:

- a) *prevent the future establishment of potentially incompatible land use activities near each other; or*
- b) *allow the establishment of potentially incompatible land use activities near each other provided no existing lawful activity, operating in a lawful manner is restricted or compromised.*

(This policy relates to objective 1 and 4)

Policy 2.6: Cumulative effects

Discharges of contaminants to air should not occur at a rate or in a manner that contribute to a cumulative effect which over time, or in combination with other effects, is likely to have an adverse effect on human health and safety, ecosystems, property or other aspects of the environment.

(This policy relates to objectives 1, 2 and 4)

Policy 2.7: Best practicable option

The Taranaki Regional Council may, when provided for in the Rules of the Plan, require the adoption of the best practicable option to prevent or minimise adverse effects on the environment from the discharge of contaminants to air arising from the process under consideration. When considering what is the 'best practicable option' to reduce the effects of the discharge, the Taranaki Regional Council will give consideration to the following factors when applying the definition in the Act, of best practicable option:

- a) the implementation of Policies 1.1, 1.2 and 1.3, when having regard to the nature of the discharge;
- b) any sensitive receiving environments (areas) as described in Policy 2.3;
- c) the capital, operating and maintenance costs of relative technical options to reduce the effects of the discharge, the effectiveness and reliability of each option, and the relative benefits to the receiving environment offered by each option;
- d) the weighing of costs in proportion to any benefits to the receiving environment to be gained by adopting the method or methods; and
- e) maintaining and enhancing existing air quality in the neighbourhood as far as practicable.

(This policy relates to objectives 1, 2 and 4)

3 Protection of the air resource (taonga) and wāhi tapu from the intrusion of odour or visual contaminants

Policy 3.1: Hapū and iwi involvement in air quality management

Procedures and approaches will be adopted by the Taranaki Regional Council to enable iwi o Taranaki to participate in air management decision-making processes.

(This policy relates to objectives 1, 2 and 4)

Policy 3.2: Wāhi tapu and other sites of significance

The adverse effects of the discharge of contaminants to air on wāhi tapu and other places, areas or features of significance to iwi o Taranaki should be avoided, remedied or mitigated to the fullest extent practicable.

(This policy relates to objectives 1, 2 and 4)

4 Discharge of contaminants to air from industrial or trade premises or industrial or trade processes (excluding waste management processes)¹⁴

¹⁴ Rules 1 to 7 in the Regional Air Quality Plan provide for discharges to air whether on industrial or trade premises or on production land.

Policy 4.1: Avoidance, remediation or mitigation – General policy

The discharge of contaminants to air from industrial or trade premises or industrial or trade processes, including the rate and concentrations of the discharge, will be managed to avoid, remedy or mitigate any significant off site adverse effects on the environment arising from the discharge.

(This policy relates to objectives 1, 2 and 4)

Policy 4.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of contaminants to air from industrial or trade premises or industrial or trade processes, particular regard will be had to the following effects:

- a) any actual or potential effects on the health and functioning of ecosystems, plants and animals including indigenous ecosystems and plants and animals of commercial significance;
- b) any actual or potential effects on amenity values, including any effects of odour or particulate matter arising from the discharge, and any nuisance effects;
- c) any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;
- d) any actual or potential adverse effects on other receiving environments;
- e) any actual or potential adverse effects on human health, safety and well-being;
- f) any cumulative adverse effects identified in Policy 2.6;
- g) any adverse effects of low probability but high potential impact; and
- h) any positive effects of the discharge, including social and economic benefits of activities using air resources.

(This policy relates to objectives 1, 2, 3 and 4)

Policy 4.3: Assessment of effects

In considering the effects of any discharge of contaminants to air from industrial or trade premises or industrial or trade processes, matters that will be taken into account include:

- a) the nature, volume, composition and concentration of the contaminant and the frequency, rate, location and manner of the discharge;
- b) the design, construction and operation of industrial and trade processes or facilities and

their capacity for avoiding, remedying or mitigating adverse environmental effects;

- c) *surrounding environmental conditions that may affect the frequency, duration, intensity and degree of environmental effects including topography, wind speed and direction, and other climatic or weather conditions; and*
- d) *the best practicable option to prevent or minimise any adverse effects on the environment in accordance with Policy 2.7.*

(This policy relates to objective 4)

5 Discharge of contaminants to air from waste management processes

Policy 5.1 Avoidance, remediation, or mitigation – General policy

The discharge of contaminants to air from waste management processes, including the rate and concentrations of the discharge, will be managed to avoid, remedy or mitigate any significant off site adverse effects on the environment arising from the discharge.

(This policy relates to objectives 1, 2 and 4)

Policy 5.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of contaminants to air from waste management processes, particular regard will be had to the following effects:

- a) *any actual or potential effects on the health and functioning of ecosystems, plants and animals including indigenous ecosystems and plants and animals of commercial significance;*
- b) *any actual or potential effects on amenity values, including any effects of odour or particulate matter arising from the discharge, and any nuisance effects;*
- c) *any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;*
- d) *any actual or potential adverse effects on other receiving environments;*
- e) *any actual or potential adverse effects on human health, safety and well-being;*
- f) *any cumulative adverse effects identified in Policy 2.6;*
- g) *any adverse effects of low probability but high potential impact; and*

- h) *any positive effects of the discharge, including social and economic benefits of activities using air resources.*

(This policy relates to objectives 1, 2, 3 and 4)

Policy 5.3: Assessment of effects

In considering the effects of any discharge of contaminants to air from waste management processes, matters that will be taken into account include:

- a) *the nature, volume, composition and concentration of the contaminant and the frequency, rate, location and manner of the discharge;*
- b) *the design, construction and operation of waste management processes or facilities and their capacity for avoiding, remedying or mitigating adverse environmental effects;*
- c) *surrounding environmental conditions that may affect the frequency, duration, intensity and degree of environmental effects including topography, wind speed and direction, and other climatic or weather conditions; and*
- d) *the best practicable option to prevent or minimise any adverse effects on the environment in accordance with Policy 2.7.*

(This policy relates to objective 4)

6 Discharge of contaminants to air from site development, earthworks or the application of soil conditioners

Policy 6.1: Avoidance, remediation or mitigation – General policy

The discharge of contaminants to air from site development, earthworks or the application of soil conditioners, including the rate and concentration of the discharge, will be managed to avoid, remedy or mitigate any significant off site adverse effects on the environment arising from the discharge.

(This policy relates to objectives 1, 2 and 4)

Policy 6.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of contaminants to air from site development, earthworks or the application of soil conditioners, particular regard will be had to the following effects:

- a) *any actual or potential effects on the health and functioning of ecosystems, plants and animals including indigenous ecosystems and plants and animals of commercial significance;*

- b) any actual or potential effects on amenity values, including any effects of odour or particulate matter arising from the discharge, and any nuisance effects;
- c) any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;
- d) any actual or potential adverse effects on other receiving environments;
- e) any actual or potential adverse effects on human health, safety and well-being;
- f) any cumulative adverse effects identified in Policy 2.6;
- g) any adverse effects of low probability but high potential impact; and
- h) any positive effects of the discharge, including social and economic benefits of activities using air resources.

(This policy relates to objectives 1, 2, 3 and 4)

Policy 6.3: Assessment of effects

In considering the effects of any discharge of contaminants to air from site development, earthworks or the application of soil conditioners, matters that will be taken into account include:

- a) the nature, volume, composition and concentration of the contaminant and the frequency, rate and manner of the discharge;
- b) surrounding environmental conditions that may affect the frequency, duration, intensity and degree of environmental effects including topography, wind speed and direction, and other climatic or weather conditions; and
- c) the best practicable option to prevent or minimise any adverse effects on the environment in accordance with Policy 2.7.

(This policy relates to objective 4)

7 Discharges of contaminants to air from aquaculture or intensive farming processes

Policy 7.1: Avoidance, remediation or mitigation – General policy

The discharge of contaminants to air from aquaculture or intensive farming processes, including the rate and concentration of the discharge, will be managed to avoid, remedy or mitigate any significant off site adverse effects on the environment arising from the discharge.

(This policy relates to objectives 1, 2 and 4)

Policy 7.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of contaminants to air from aquaculture or intensive farming processes, particular regard will be had to the following effects:

- a) any actual or potential effects on the health and functioning of ecosystems, plants and animals including indigenous ecosystems and plants and animals of commercial significance;
- b) any actual or potential effects on amenity values, including any effects of odour or particulate matter arising from the discharge, and any nuisance effects;
- c) any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;
- d) any actual or potential adverse effects on other receiving environments;
- e) any actual or potential adverse effects on human health, safety and wellbeing;
- f) any cumulative adverse effects identified in Policy 2.6;
- g) any adverse effects of low probability but high potential impact; and
- h) any positive effects of the discharge, including social and economic benefits of activities using air resources.

(This policy relates to objectives 1, 2, 3 & 4)

Policy 7.3 Assessment of effects

In considering the effects of any discharge of contaminants to air from aquaculture or intensive farming processes, matters that will be taken into account include:

- a) the nature, volume, composition and concentration of the contaminant and the frequency, rate, location and manner of the discharge;
- b) the design and operation of the aquaculture or intensive farming operations or facilities and their capacity for avoiding, remedying or mitigating adverse environmental effects;
- c) surrounding environmental conditions that may affect the frequency, duration, intensity and degree of environmental effects including topography, wind speed and direction, and other climatic or weather conditions; and
- d) the best practicable option to prevent or minimise any adverse effects on the environment in accordance with Policy 2.7.

(This policy relates to objective 4)

8 Discharge of agrichemicals into the air

Policy 8.1: Good management practice – General policy

All persons discharging agrichemicals to air should apply good management practices to avoid or minimise any actual or potential adverse effects of the discharge beyond the property of application or on other non-target areas or species within the property boundary.

(This policy relates to objectives 1, 2 and 4)

Policy 8.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of agrichemicals to air by spray application, particular regard will be had to the following effects in non-target areas:

- a) *any actual or potential adverse effects on human health, safety and well-being;*
- b) *any actual or potential adverse effects on amenity values;*
- c) *any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;*
- d) *any actual or potential adverse effects on other receiving environments and in particular any such effects on rivers, lakes and other waterbodies; and*
- e) *any actual or potential adverse effects on the health and functioning of ecosystems, plants and animals of commercial significance.*

(This policy relates to objectives 1, 2 and 4)

Policy 8.3: Assessment of effects

In considering the effects of any discharge of agrichemicals to air by spray application matters that will be taken into account include:

- a) *the type of agrichemicals to be discharged;*
- b) *the type and performance of the spray equipment to be used;*
- c) *operating methods and procedures including spray concentration and pressures, spraying height and location, and notification requirements;*
- d) *the nature of any training in the use and spray application of agrichemicals undertaken by the operators;*
- e) *weather conditions including wind speed and direction, temperature and humidity;*

- f) *manufacturers' instructions and operating guidelines and codes of practice; and*

- g) *spray drift avoidance measures.*

(This policy relates to objective 4)

9 Burning of vegetation on production or forested land

Policy 9.1: Avoidance, remediation or mitigation – General policy

Discharges to air resulting from the burning of vegetation on production land or forested land will be managed and controlled to prevent or minimise any adverse effects on the environment.

(This policy relates to objectives 1, 2 and 4)

Policy 9.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of contaminants to air from the burning of vegetation on production land or forested land, particular regard will be had to the following effects:

- a) *any actual or potential effects on amenity values;*
- b) *any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;*
- c) *any actual or potential nuisance effects including reduced visibility, increased risk of irritation of breathing passages, or damage to or soiling of property; and*
- d) *the release of offensive or objectionable odour.*

(This policy relates to objectives 1, 2 and 4)

10 Discharges to air from fire training activities or fire safety research or education purposes

Policy 10.1: Avoidance, remediation or mitigation – General policy

Discharges to air resulting from fire training activities or fire safety research or education purposes will be managed and controlled to prevent or minimise any adverse effects on the environment.

(This policy relates to objectives 1, 2 and 4)

Policy 10.2: Actual or potential effects that require particular consideration

In considering the effects of any discharge of contaminants to air from fire training activities or fire

safety research or education purposes, particular regard will be had to the following effects:

- a) any actual or potential effects on amenity values;
- b) any actual or potential adverse effects on areas, places, sites or features identified in Policy 2.3;
- c) any actual or potential nuisance effects including reduced visibility, increased risk of irritation of breathing passages, or damage to or soiling of property; and
- d) the release of offensive or objectionable odour.

(This policy relates to objectives 1, 2 and 4)

Policy 10.3: Assessment of effects

In considering the effects of any discharge of contaminants to air from fire training activities or fire safety research or education purposes, matters that will be taken into account include:

- a) the nature, volume, composition and concentration of the contaminant and the frequency, rate and manner of the discharge;
- b) surrounding environmental conditions that may affect the frequency, duration, intensity and degree of environmental effects including topography, wind speed and direction, and other climatic or weather conditions; and
- c) the best practicable option to prevent or minimise any adverse effects on the environment in accordance with Policy 2.7.

(This policy relates to objective 4)

11 Discharges to air from domestic sources

Policy 11.1: Avoidance, remediation or mitigation – General policy

Measures to avoid, remedy or mitigate the adverse effects of discharges to air from domestic fires and home heating appliances will be promoted when practicable and appropriate.

(This policy relates to objective 1)

3.5 Transitional policies to implement the NPS for Greenhouse Gas Emissions from Industrial Process Heat (NPS-GHGI) 2023

The NPS-GHGI includes two requirements for regional councils to insert the following two implementation policies into their regional plans. Terms used in policy 12.1 and 12.2 are defined in the Resource Management (National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 have the meaning in those regulations.

12 Discharge of contaminants to air of greenhouse gases from the production of industrial process heat

Policy 12.1: Assessment of cumulative effects

Before granting a resource consent for the discharge of greenhouse gases to air from heat devices on a site, the regional council must:

- a) consider the total discharges of greenhouse gases from all heat devices on the site that the application relates to; and
- b) recognise that, cumulatively, all discharges of greenhouse gases resulting from the production of industrial process heat, regardless of volume, contribute to climate change, and any reduction in greenhouse gas emissions contributes to mitigating climate change.

Policy 12.2: Assessment of emissions plans

When considering an emissions plan as part of an application for a resource consent for a restricted discretionary activity relating to discharges to air of greenhouse gases from heat devices, the consent authority must consider:

- a) the timing and content of updates of the emissions plan to be made by the holder of the consent; and
- b) how those updates will reflect changes in technology and best practices.

3.6 Methods of implementation

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

- METH 1** Apply the regional rules in Section 4 of this plan to allow, regulate or prohibit (as appropriate):
- a) the discharge of contaminants to air from industrial or trade premises or industrial or trade processes (excluding waste management processes);
 - b) the discharge of contaminants to air from waste management processes;
 - c) site development, earthworks or the application of soil conditioners;
 - d) aquaculture or intensive farming processes;
 - e) agrichemical spraying operations;
 - f) burning of vegetation or waste material;
 - g) fire training activities or fire safety research or education purposes; and
 - h) other activities involving discharges of contaminants to air, as appropriate.
- METH 2** Apply the policies together with Section 104 of the Resource Management Act 1991, as appropriate, when:
- a) considering whether or not to grant a discharge to air permit; and
 - b) considering the conditions to set on an air discharge permit.
- METH 3** Require, when appropriate, an applicant for permits to discharge contaminants to air, to adopt the best practicable option to prevent or minimise the adverse effects of the discharges on the environment.
- METH 4** Consult with iwi and hapū with regard to the identification of places of special cultural and traditional value associated with the air resource, with the aim of ensuring these values are recognised and provided for in the resource consent process and, where appropriate, these places and values are adequately protected from the adverse effects of activities.
- METH 5** Provide advice and information, including guidelines, to landowners, resource users and the public:
- a) to generally promote awareness of air quality issues;
 - b) to encourage the adoption of principles and practices that avoid or mitigate adverse effects on air quality; and
 - c) on systems, siting, design, installation, operation and maintenance procedures for industrial, domestic and agricultural activities that discharge to air.
- METH 6** Support and promote the preparation and adoption by sector groups of guidelines and certification programmes to avoid or mitigate adverse effects on air quality arising from:
- a) farming activities that may generate significant odour such as piggeries, poultry farms and on-site land application of treated or untreated effluents or other contaminants;
 - b) agrichemical spraying operations; and
 - c) spray application of paint, fibreglass and similar activities.
- METH 7** Work with feed suppliers to the poultry growing industry, to research and promote feed formulations that reduce the environmental effects of broiler operations.

- METH 8** Monitor and gather information on the state of the air resource of the Taranaki region, the nature of and effects of the discharge of contaminants to air, including cumulative and cross media effects and methods to avoid, remedy or mitigate those effects.
- METH 9** Receive and respond to public complaints about discharges to air within the region.
- METH 10** In conjunction with the territorial authorities, implement memoranda of understanding to promote effective integrated management of air quality issues.
- METH 11** Apply and, when appropriate, contribute to the monitoring of national environmental standards relating to air quality.
- METH 12** Advocate to relevant agencies appropriate policies, strategies or programmes to assist in the implementation of the objectives, policies and methods of the Plan.
- METH 13** Provide information to landowners, resource users and the public regarding the location of the electricity transmission networks in the Taranaki region.
- METH 14** Encourage the installation of cleaner forms of heating and clean heating appliances and increases in energy efficiency of dwellings.
- METH 15** Define a Port Air Zone in the Regional Coastal Plan for Taranaki to provide appropriate boundaries for controlling the effects of air emissions in the coastal marine area at Port Taranaki.

4 Regional rules

4.1 Introduction

Section 3.0 of this plan states that regional rules will be used to control the discharge of contaminants to air. This section contains the detail of the regional rules to give effect to the policies in this plan.

Section 15(1)(c) of the Act provides that discharges to air from any industrial or trade premises, are allowed only if authorised by a resource consent or by a rule in this plan or by regulations. This means that unless a specific rule in this section of the plan provides otherwise, then it will be necessary for any discharge to air from a particular industrial or trade premises to be authorised by a resource consent obtained through the full application and assessment process set out within Part VI of the Act.

Section 15(2) of the Act provides that discharges to air from any other source are regulated only if covered by a rule in a plan or by regulations. This means that any discharges to air from any places that are not industrial or trade premises (and including farmland, residential properties, and all moveable sources) are allowed, unless a rule in this plan, or regulation, provides otherwise.

Advisory note: Notwithstanding any other rules in this Plan, all plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* must comply with those regulations. Where there is conflict or duplication between a rule in this plan and those regulations, the regulations prevail.

4.2 Rule tables

This section contains tables which set out the regional rules applying to the discharge of contaminants to air. Sections 4.2.1 and 4.2.2 explain how the rules are arranged and how the rule tables are formatted.

4.2.1 Arrangement of rules

The regional rules are arranged under seven categories reflecting the source of the discharge to air or an activity discharging to air. The seven categories are then divided into particular sources or activities as shown in Table 1.

Table 1 shows for each activity the rule number which applies to the activity, the classification of the activity (i.e. permitted, controlled, restricted discretionary) and the page number where the relevant rule or rules can be found.

Table 1: Arrangement of rules according to discharge of source and activity

CATEGORY	RULE NUMBER AND TITLE	CLASSIFICATION	PAGE
DISCHARGES FROM INDUSTRIAL OR TRADE PREMISES OR INDUSTRIAL OR TRADE PROCESSES (EXCLUDING WASTE MANAGEMENT PROCESSES)	Discharges of products of combustion – specified fuel types – whether on industrial or trade premises or on production land		
	Rule 1 Small scale combustion of natural gas or liquefied petroleum gas	Permitted	61
	Rule 2 Small scale combustion of natural gas or liquefied petroleum gas producing visible smoke	Controlled	61
	Rule 3 Mid scale combustion of natural gas or liquefied petroleum gas	Permitted	61
	Rule 4 Mid scale combustion of natural gas or liquefied petroleum gas producing visible smoke	Controlled	62
	Rule 5 Small scale combustion of specified fuels not covered by Rules 1 and 2	Permitted	62
	Rule 6 Mid scale combustion of specified fuels not covered by Rules 3 and 4	Permitted	62
	Rule 7 Combustion of specified fuels that cannot comply with Rules 5 and 6	Controlled	63
	Discharges from the combustion of materials containing metals		
	Rule 8 Combustion of materials containing metals (whether ferrous or non ferrous)	Prohibited	64
	Discharges from hydrocarbon well sites or gas treatment or production plants		
	Rule 9 Discharges from hydrocarbon exploration well sites	Controlled Restricted Discretionary Controlled Restricted Discretionary	64
	Rule 10 Discharges from hydrocarbon exploration well sites that do not comply with Rule 9		65
	Rule 11 Discharges from gas treatment or production plants		66
	Rule 12 Discharges from hydrocarbon producing well head or well sites		67
	Discharges of contaminants incidental to trade processes		
	Rule 13 Minor discharges from commercial, retail or industrial or trade premises	Permitted	69
	Rule 14 Discharges from hydrocarbon distribution and transmission networks		70
	Rule 15 Discharges from power stations, electrical substations or switchyards not covered by Rules 1 to 54 and/or Rules 56 to 63		70
	Rule 16 Discharges from recreational or trade processes		71
	Discharges from abrasive blasting processes		
	Rule 17 Wet abrasive blasting	Permitted Controlled Controlled Restricted Discretionary Prohibited	71
	Rule 18 Abrasive blasting – fixed source		72
	Rule 19 Abrasive blasting – moveable source		73
	Rule 20 Moveable abrasive blasting that does not comply with Rule 19		73
	Rule 21 Use of high-silica sands in dry abrasive blasting		74
	Discharges from other moveable or fixed industrial sources		
	Rule 22 Moveable road burners	Prohibited Discretionary	75
	Rule 23 Moveable or permanent asphalt/bitumen plants		75
	Discharge of heat or water vapour-based plumes from fixed sources		

CATEGORY	RULE NUMBER AND TITLE	CLASSIFICATION	PAGE
	Rule 24 Air cooled heat exchanges Rule 25 Small-scale discharges to air from water-based cooling systems Rule 26 Large-scale discharges to air from water-based cooling systems Rule 27 Discharges of steam Rule 28 Discharges from cooling towers that do not comply with Rules 25 or 26 Fumigation Rule 29 Fumigation	Permitted Permitted Permitted Permitted Restricted Discretionary Permitted	75 75 75 76 76 77
DISCHARGES FROM INDUSTRIAL OR TRADE PREMISES OR OTHER PLACES OR SOURCES	DISCHARGES FROM WASTE MANAGEMENT PROCESSES Discharge from waste management processes – combustion Rule 30 Combustion of specific waste material other than in an incinerator Rule 31 Combustion of industrial or trade waste in an incinerator Rule 32 Combustion of industrial or trade waste in a high temperature hazardous waste incinerator Rule 33 On-farm solid waste disposal by combustion Rule 34 Residential waste disposal by combustion Discharges from waste management processes – disposal of solid wastes to land Rule 35 On-farm solid waste disposal to land Rule 36 Composting or disposal to land of waste material - residential areas Rule 37 Active landfills Rule 38 Closed landfills Rule 39 Cleanfills Discharges from waste management processes – liquid contaminants Rule 40 On-farm liquid waste management processes Rule 41 Sewage treatment	Prohibited Restricted Discretionary Restricted Discretionary Permitted Prohibited Permitted Permitted Controlled Permitted Permitted Permitted Permitted	81 81 82 82 83 84 84 84 85 85 86 86
DISCHARGES FROM LAND: SITE DEVELOPMENT, EARTHWORKS OR THE APPLICATION OF SOIL CONDITIONERS	Discharges from site development Rule 42 Site development and landscaping Discharges from earthworks Rule 43 Small-scale earthworks Rule 44 Large-scale earthworks Discharges from the application of fertiliser or other soil conditioners Rule 45 Fertilisers or other soil conditioners	Permitted Permitted Controlled Permitted	89 89 90 90
DISCHARGES FROM AQUACULTURE OR INTENSIVE FARMING PROCESSES	Aquaculture processes Rule 46 Aquaculture processes Intensive pig farming processes Rule 47 Small intensive pig farming processes Rule 48 Existing intensive pig farming processes Rule 49 New large intensive pig farming processes	Permitted Permitted Restricted Discretionary	93 93 93 94

CATEGORY	RULE NUMBER AND TITLE	CLASSIFICATION	PAGE
	<p>Rule 50 Intensive pig farming processes that do not comply with Rules 47 , 48 or 49</p> <p>Intensive poultry farming processes</p> <p>Rule 51 Small intensive poultry farming processes</p> <p>Rule 52 Existing poultry farming processes</p> <p>Rule 53 New large intensive poultry farming processes</p> <p>Rule 54 Intensive poultry farming processes that do not comply with Rules 51, 52 or 53</p>	<p>Restricted Discretionary Discretionary</p> <p>Permitted Restricted Discretionary Restricted Discretionary Discretionary</p>	<p>94</p> <p>94 94 95 95</p>
DISCHARGES NOT PROVIDED FOR BY RULES 1 - 54	<p>Discharges from any industrial or trade premises, production land, waste management process, site development, earthworks, the application of soil conditioners, aquaculture or intensive farming processes not provided for in Rules 1 to 54</p> <p>Rule 55 Discharges to air that cannot comply with Rules 1 to 54</p>	Discretionary	99
DISCHARGE OF AGRICHEMICALS INTO THE AIR	<p>Discharge of agrichemicals</p> <p>Rule 56 Discharges of agrichemicals – production land</p> <p>Rule 57 Discharge of agrichemicals – public amenity areas or roadside or railside verges</p> <p>Rule 58 Discharge of agrichemicals that do not comply with Rules 56 or 57</p>	<p>Permitted Permitted</p> <p>Restricted Discretionary</p>	<p>103 105 107</p>
BURNING¹⁵	<p>Burning of vegetation on production land or forested land</p> <p>Rule 59 Burning of vegetation on production land or forested land</p> <p>Rule 60 Burning of vegetation that does not comply with Rule 59</p> <p>Burning of tyres or untreated used oil</p> <p>Rule 61 Burning of tyres or untreated used oil</p> <p>Fire Training Activities or Fire Safety Research or Education Purposes</p> <p>Rule 62 Fire training activities</p> <p>Rule 63 Fire training activities that do not comply with Rule 62</p>	<p>Permitted Controlled</p> <p>Prohibited</p> <p>Permitted Controlled</p>	<p>111 111</p> <p>112</p> <p>112 113</p>

¹⁵ Refer to additional notes in respect of Rules 59 and 60.

4.2.2 How the tables are formatted

Each table contains seven columns headed:

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

Activity

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

Rule

The column headed 'rule' contains the rule number, for reference purposes and a brief description of the rule.

Standards/Terms/Conditions

The column contains:

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

Classification

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

How the classifications are used:

A **permitted activity** can be carried out without a resource consent, provided that all conditions in the 'standards/terms/conditions' column are met. The rule is complete in itself.

A **controlled activity** may be carried out only if a discharge permit is obtained for that activity. However, the Council must grant the permit and may only include conditions on the permit in relation to the matters set out in the 'control/discretion' column. The Council will consider the application and any conditions, in accordance with Section 104 of the Act including consideration of the objective and policies in the Plan.

A **restricted discretionary activity** may be carried out only if a discharge permit is obtained. The Council may decline or grant a discharge permit for this type of discretionary activity. The Council will exercise its discretion in accordance with Section 104 of the Act including consideration of the objectives and policies in the Plan.

However, the Council's power to decline a resource consent and to include conditions are restricted to the matters to which the Council has restricted the exercise of its discretion as set out in the 'control/discretion' column.

A **discretionary activity** may be carried out only if a discharge permit is obtained. The Council may decline or grant a discharge permit for this type of discretionary activity. The Council will exercise its

discretion in accordance with Section 104 of the Act including consideration of the objectives and policies in the Plan. The Council may consider any matter allowed under Section 104, including all effects on the environment. If the discharge to air permit is granted, the Council may include any conditions on the permit that fall within the Council's powers under Section 108 of the Act.

No consent may be granted for a **prohibited activity** and such activities cannot be carried out under any circumstances.

Note: an activity or premises may involve more than one type of discharge to air. Different rules and classifications may apply to each type of discharge. All rules relating to particular activities or premises must be complied with.

Notification

The Taranaki Regional Council may process a resource consent application for a discharge permit as a notified application, limited notified, or as a non-notified application. The Council's powers are set out in Sections 95A and 95B of the Resource Management Act 1991. The test to be applied by the Council will depend on whether the proposed activity is a controlled, restricted discretionary, discretionary or non-complying activity. However, an application for any type of activity must be publicly notified if the Council decides that special circumstances exist in relation to the application (Section 95A(4)) or if the applicant has requested notification, (Section 95A(2)(b)).

In summary, the notification requirements are as follows:

Controlled activities

- If the plan includes a rule that requires notification, the application must be notified.
- If the plan includes a rule waiving service of the application, the application will be processed as non-notified.
- If the plan is silent on notification and service (i.e. the Notification column is blank), the Council will assess whether there are any affected persons.
 - If there are no affected persons, the application will be processed as non-notified.
 - If there are affected persons, and written approval has been obtained from every person who, in the Council's opinion, may be adversely affected by the activity, the application will be processed as non-notified.
 - If there are some affected persons who have not given their written approval, the Council must serve notice of the application on all affected persons (limited notification).

Restricted discretionary activities

- a) If a rule in the plan waives notification (but not service), or a rule requiring the service of the application, the Council will assess whether there are any affected persons. The application will be serviced on all persons who, in the opinion of the Council, may be adversely affected by the activity, unless all of those persons have given their written approval to the activity.
- b) If a rule in the plan waives both notification and service of the application, the application will be processed as non-notified.
- c) If a rule in the plan is silent on notification and service (i.e. the Notification column is blank), the Council will assess whether the adverse effects of the activity will be minor. If the Council considers that the adverse effects of the activity will be more than minor, the application will be publicly notified. If the Council considers that the adverse effects of the activity will be minor, the application will not be publicly notified but will be served on all persons who, in the opinion of the Council, may be adversely affected by the activity, unless all of those persons have given their written approval to the activity (as above in (a)).
- d) If an applicant requests notification, or if the Council considers that special circumstances exist, the application will be notified and served, regardless of whether the rule waives notification or service.

Discretionary and non-complying activities

- a) All applications for discretionary and non-complying activities must be notified unless the Council is satisfied that the adverse effects of the activity will be minor.
- b) If the Council considers that the adverse effects of the activity will be minor, the Council will assess whether there are any affected persons (as above).

In the table of rules, the **Notification** column will generally be blank. However, for intensive farming processes the column may contain the words “applications will be publicly notified unless the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor. If the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor, the Council will serve notice of applications on the owners and the occupiers of any off site dwellinghouse located within the buffer distances specified in [either Table 1 of Appendix IV (if any) or Table 1 of Appendix V (if any) of the Plan], at the time this Plan became operative, or the time the activity was first established¹⁶, whichever was the earlier, who have not otherwise given written approval for the activity.

¹⁶ ‘Activity first established’ means the date an air discharge consent was first issued by the Taranaki Regional Council.

In addition, for hydrocarbon exploration processes the column may contain the words “applications will be publicly notified unless the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor. If the Taranaki Regional Council is satisfied that the adverse effects of the activity will not be more than minor, the Council will serve notice of applications on the owners and occupiers of any dwellinghouse located within 300 metres of the flare or incinerator point at the time this Plan became operative or the time the activity was first established¹⁷, whichever was the earlier, who have not otherwise given written approval for the activity.

For the avoidance of doubt, a written approval given by an owner or occupier when an activity was first established shall remain applicable to, and be deemed to also be written approval for, the re-consenting of that activity, if the following conditions are met:

- (a) a new consent is being applied for to replace or renew an existing consent; and
- (b) the nature, scale and extent of activity and its effects (other than duration of flaring) are the same as or less than that authorised by the existing consent being replaced or renewed; and
- (c) the approval states that it is given irrespective of the duration of the flaring activity”.

Control/Discretion

This column states the matters over which the Council reserves control (in relation to a controlled activity) or to which it has restricted the exercise of its discretion (in relation to a discretionary activity). The Council is limited to these matters when considering the environmental effects of the activity and when setting conditions on a resource consent.

When the column is blank, one of three situations applies:

- The activity is a permitted activity, and by definition no control or discretion can be reserved.
- The activity is a prohibited activity, and by definition no control or discretion can be reserved.
- The activity is a discretionary activity for which the Council has retained full discretion, which will be exercised in accordance with the objectives and policies of the plan and the matters to be considered in Section 104 of the Act.

Policy References

The ‘policy references’ column cross-references the policies in Section 3.0 of this Plan that are **generally** relevant to the type of activity governed by that rule.

Policy references are included as a guide to all plan users, including the Council, as to the policies that the Council will consider when deciding a discharge permit

¹⁷ ‘Activity first established’ means the date an air discharge consent was first issued by the Taranaki Regional Council for the activity.

application and the conditions that may be placed on a discharge permit.

4.2.3 Interpretation of noxious, toxic, hazardous, dangerous, offensive and objectionable effects

Several rules in this Plan use the terms 'noxious', 'dangerous', 'toxic', 'hazardous', 'offensive' and 'objectionable'. The terms 'dangerous', 'hazardous', 'offensive' and 'objectionable' are also included in Section 17 of the Act. Whether an activity is 'noxious', 'dangerous', 'toxic', 'hazardous', 'offensive' or 'objectionable' depends upon an objective assessment.

Reference to the terms 'noxious', 'dangerous', 'toxic', 'hazardous', 'offensive' or 'objectionable' are made in the definition section of this Plan. The definitions refer Plan users to this section. There is no standard definition to these terms because of the need to take account of case law precedent as it develops – that is, the Plan cannot override interpretation decided by the judiciary. However, the following notes are intended to provide some guidance for interpreting these terms:

a) NOXIOUS, TOXIC, HAZARDOUS, DANGEROUS -

Definitions of these terms can be found in the dictionary – for example (from the *Concise Oxford Dictionary, 10th Edition, 2001*):

- noxious means – “harmful, poisonous, or very unpleasant”
- toxic means – “poisonous; of, relating to, or caused by poison”
- hazardous means – “risky, dangerous”
- dangerous means – “able or likely to cause harm or injury”.

Dangerous is defined as “...*involving or causing exposure to harm*”. Dangerous discharges include those that are likely to cause adverse physical health effects, such as discharges containing toxic concentrations of chemicals.

In determining whether a discharge causes any noxious, toxic, hazardous or dangerous levels of contaminants, a Council enforcement officer may consider:

- the *Workplace Exposure Standards* (Department of Labour, 2010): as a guide, the concentration of any contaminant specified in the *Workplace Exposure Standards* should not exceed one thirtieth of the time-weighted average for the short-term exposure standard on adjacent properties or on public land;
- the *Ambient Air Quality Guidelines* (Ministry for the Environment, 2002) as they relate to hazardous substances;

- the frequency, intensity, duration and location of exposure;
- the sensitivity of the receiving environment;
- relevant provisions under the Hazardous Substances and New Organisms Act 1996; and
- advice provided by Taranaki District Health Boards' Medical Officer of Health/Health Protection Officers and Territorial Authority (TA) environmental health officers.

Primary reference for determining compliance or otherwise with noxious, toxic, hazardous or dangerous effects are national environmental standards for air quality that may be set by the Government of New Zealand from time to time, and the *Workplace Exposure Standards* (Department of Labour, 2010), with the application of additional safety factors (usually a reduction to 30 times lower than the *Workplace Exposure Standards*).

Note: it is ERMA that consider applications to introduce hazardous substances and new organisms. ERMA New Zealand is responsible for monitoring compliance with conditions attached to approved applications. ERMA also monitor enforcement and the general effectiveness of the *Hazardous Substances and New Organisms (HSNO) Act 1996*.

b) OFFENSIVE, OBJECTIONABLE -

'Offensive' is defined as “...*giving or meant to give offence.....disgusting, foul-smelling, nauseous, repulsive*”. 'Objectionable' is defined as “...*open to objection, unpleasant, offensive*”. Case law has established that what may be offensive or objectionable under the Resource Management Act cannot be defined or prescribed except in the most general terms. Each case will depend upon its own circumstances. Key considerations include:

- (i) Location of an activity and sensitivity of the receiving environment** - For example, what may be considered offensive or objectionable in an urban area, may not necessarily be considered offensive or objectionable in a rural area.
- (ii) Reasonableness** – Whether or not an activity is offensive or objectionable should be determined by an ordinary person who is representative of the community at large and neither hypersensitive nor insensitive, in deciding whether the activity is disgusting, nauseous, repulsive or otherwise objectionable.
- (iii) Existing uses** – It is important to consider what lawfully established activities exist in an area, i.e. if a new activity requires a permit, the effect of existing discharges of contaminants into air should be considered.

Each investigation of a complaint concerning offensive or objectionable discharges will depend upon the

specific circumstances. However, for odour and dust, the approach will be as follows:

- a) An assessment of the situation will be made by a Council enforcement officer who has experience in odour complaints and has had his/her nose 'calibrated' (for sensitivity to odour). This assessment will take into account the FIDOL factors – Frequency, Intensity, Duration, Offensiveness, Location – and those matters identified as key considerations in Section 4.2.3 (b) (i), (ii) and (iii).

For dust the approach will be as follows:

An assessment of the situation will be made by a Council enforcement officer who has experience in dust complaints. This assessment will take into account similar factors as for odour – the frequency, intensity, duration, offensiveness, and location of the event. In terms of the **intensity** of a dust event being deemed offensive or objectionable, it can be noted that in situations involving exposure by the general public, the experience of the Council is that a deposition rate of more than 0.13 grams per square metre per day can lead to justified complaints. For suspended dust, an ambient concentration of around 3 mg per cubic metre is the point at which dust becomes visible as a cloud, and is typically applied as a boundary condition for activities emitting dust. The values are not necessarily universally applicable.

In terms of **offensiveness** of dust, this is normally correlated with the nature of the dust. Inert dust such as soil or sand is generally considered less offensive than dusts derived from organic sources such as chicken litter, milk powder, or ground (milled) animal wastes.

- b) If the discharge is deemed to be offensive or objectionable by the Council enforcement officer, the discharger will be asked to take whatever action is necessary to avoid, remedy or mitigate the effects of the discharge.
- c) If the discharger disputes the Council enforcement officer's assessment or the problems are ongoing, then a number of approaches may be taken, including one or more of the following:
 - (i) Assessments by more council enforcement officers;
 - (ii) Asking people living and working in the subject area to keep a diary which notes details of any offensive or objectionable odours;
 - (iii) Promoting the use of community working groups and other means of consultation between the affected community and the discharger;
 - (iv) using the services of the council's enforcement officers who have had their noses calibrated;

- (v) undertaking an odour assessment using an olfactometer, or other appropriate technology;
- (vii) taking the matter to the Environment Court for determination.

- d) If the discharge is found to be offensive or objectionable, then enforcement action may be taken. This could be in the form of an abatement notice, infringement notice, enforcement order or prosecution, pursuant to the Resource Management Act 1991. In the case of a permitted activity, failure to comply with the conditions would also mean that the activity was no longer permitted, and would thus require a resource consent application to be lodged, if it were to continue.

Note: As part of the manufacture of agrichemicals a substance that creates an odour may be added that then acts as an indicator as to where an agrichemical has been used. This odour is not a matter over which the user or applicator has any control as it is an integral component of the substance. The odorous substance has a health and safety purpose; in that it indicates the presence of the product.

4.3 Listing and explanation of rules

Discharges from industrial or trade premises or trade processes (excluding waste management processes)¹⁸

It should be noted at the onset: Under the Resource Management Act 1991, **all** discharges from industrial or trade premises are prohibited unless: expressly provided for in a plan or proposed plan; authorised by a resource consent obtained from the Taranaki Regional Council; or by regulations (refer to section 1.5 of the Plan).

Discharges of products of combustion – specified fuel types

Rule 1: Small-scale combustion of natural gas or liquefied petroleum gas

Activity classification: Permitted

This Rule relates to the discharge of contaminants to air from small scale enclosed combustion systems (such as boilers or gas-fired heating units), whether on industrial or trade premises or on production land.

The Rule does not cover the discharge of contaminants to air from direct heating processes. Direct heating processes are defined in Section 2 of the Plan.

Rule 1 permits the discharge of contaminants to air from individual combustion chambers with a generation capacity of up to 1 MW where natural gas or liquefied petroleum gas is used as a fuel, subject to the stated conditions.

Because the gas when properly used in the combustion process is a very 'clean' fuel, the Council has decided to rely on the maximum heat release rate rather than an emission standard for the permitted rule.

Rule 2: Small-scale combustion of natural gas or liquefied petroleum gas producing visible smoke

Activity classification: Controlled

This Rule relates to the discharge of contaminants to air from small scale enclosed combustion systems (such as boilers or gas fired heating units), whether on industrial or trade premises or on production land, when the discharge does not satisfy condition (b) of Rule 1. Condition (b) of Rule 1 requires the discharge to be free of visible smoke.

The Rule does not cover the discharge of contaminants to air from direct heating. Direct heating processes are defined in Section 2 of the Plan.

Rule 2 permits the discharge of contaminants to air from individual combustion chambers with a generation capacity of up to 1 MW where natural gas

or liquefied petroleum gas is used as a fuel, subject to the stated conditions.

The Rule recognises that in some instances, it is not a viable option to require the user of a system to immediately upgrade to new equipment that complies with modern emission standards to satisfy the requirements of condition (b) of Rule 1.

The Council has designed this Rule to enable this type of minor departure from accepted standards, whilst retaining the ability to increase the level of compliance via the conditions that it can apply to the discharge. This method of management is considered to be preferable to requiring applicants to undertake the full resource consent process.

Rule 3: Mid-scale combustion of natural gas or liquefied petroleum gas

Activity classification: Permitted

This Rule relates to the discharge of contaminants to air from mid-scale enclosed combustion systems (such as boilers or gas-fired units), whether on industrial or trade premises or on production land.

The Rule does not cover the discharge of contaminants from direct heating processes. Direct heating processes are defined in Section 2 of the Plan.

Rule 3 provides for the discharge of contaminants to air from individual combustion chambers with a generation capacity that exceeds 1 MW but is less than 10 MW and a combined generation capacity of up to 30 MW for the premises, subject to stated conditions.

The size of these sources means that it is cost effective to adopt conditions relating to the height of the discharge stack and efflux velocity to further reduce emissions.

Rule 4: Mid-scale combustion of natural gas or liquefied petroleum gas producing visible smoke

Activity classification: Controlled

This Rule relates to the discharge of contaminants to air from mid-scale enclosed combustion systems (such as boilers or gas fired-heating units), whether on industrial or trade premises or on production land, when the discharge does not satisfy one or more of conditions (b) to (g) of Rule 3.

The Rules does not cover the discharge of contaminants to air from direct heating. Direct heating processes are defined in Section 2 of the Plan.

Rule 4 provides for the discharge of contaminants to air from individual combustion chambers with a generation capacity that exceeds 1 MW but is less than 10 MW and a combined generation capacity of up to 30 MW for the premises.

The reasons for adopting Rule 4 are the same as those for Rule 2.

¹⁸ Note: Rules 1 to 7 provide for discharges whether on industrial or trade premises or on production land.

Rule 5: Small-scale combustion of specified fuels not covered by Rules 1 and 2

Activity classification: Permitted

This Rule relates to the discharge of contaminants to air from small scale enclosed combustion systems (such as boilers, stationary engines), whether on industrial or trade premises or on production land.

The Rule does not cover the discharge of contaminants to air from direct heating. Direct heating processes are defined in Section 2 of the Plan.

Rule 5 provides for the discharge of contaminants to air from the combustion of specified fuels (i.e. wood, diesel, kerosene, petroleum), not covered by Rules 1 to 2, subject to the stated conditions.

As with Rules 1 to 4, the intention of this rule is to manage the effects of the discharge of contaminants from combustion on industrial and trade premises or/and on production land. The fuels that are included here have been dealt with separately to the combustion of natural gas and liquefied petroleum gas due to the nature of their emissions. These fuels produce more particulate matter than gas combustion, and are therefore considered to warrant a greater level of control on the Council's part. It should be noted that the fuels that are included in the 'activity' column have been selected to minimise as far as possible the emission of harmful substances.

Rule 6: Mid-scale combustion of specified fuels not covered by Rules 3 and 4

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from mid-scale enclosed combustion systems (such as boilers, stationary engines), whether on industrial or trade premises or on production land.

The Rule does not cover the discharge of contaminants to air from direct heating. Direct heating processes are defined in Section 2 of the Plan. Rule 6 provides for the combustion of specified fuels (i.e. wood, diesel, kerosene, petroleum), not covered by Rules 3 and 4.

This Rule deals with larger processes than those that are covered by Rule 5. As such, it is considered that a greater degree of control is required than in Rule 5. This control has been provided by conditions relating to the height of the discharge stack, efflux velocity and servicing of burners.

Rule 7: Combustion of specified fuels that cannot comply with Rules 5 and 6

Activity classification: Controlled

This Rule relates to the discharge of contaminants to air of enclosed combustion chambers, whether on industrial or trade premises or on production land, where the combustion process does not meet one or more of the conditions (b) to (e) of Rule 5 or one or more of the conditions (b) to (g) of Rule 6.

The Rule does not cover the discharge of contaminants to air from direct heating. Direct heating processes are defined in Section 2 of the Plan.

The Rule applies to the discharge of contaminants from individual combustion chambers with a generation capacity of up to 5 MW and a combined generation capacity of up to 10 MW for the premises.

Rule 7 is intended as a catchall rule that is the equivalent of Rules 2 and 4. A greater degree of control has been maintained than under Rules 5 and 6 due to the potentially greater level of adverse environmental effects arising from the activity that does not meet one or more of the conditions (b) to (e) of Rule 5 or one or more of the conditions (b) to (g) of Rule 6.

The control over the discharge is achieved by means of the matters set out in the 'control/discretion' column which may be imposed as conditions on a resource consent. These conditions include monitoring and review, duration of the consent, specifications of stack height and efflux velocity and the use of best practicable option.

The combustion of certain types of material listed in the last three conditions of Rules 5 and 6 are specifically excluded from Rule 7.

Discharges from the combustion of materials containing metals

Rule 8: Combustion of materials containing metals (whether ferrous or non ferrous)

Activity classification: Prohibited

The fumes and products of combustion of materials containing metals are toxic and carcinogenic. It also has a deleterious effect on amenity values (for example, black smoke plumes, soiling of other properties and odour). Unless combustion is properly regulated in an incinerator designed to operate at the correct combustion conditions and with adequate after-burner scrubbing of emissions, combustion of the materials listed in Rule 8 are prohibited as a danger to health.

Note: the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004 prohibits the burning of coated wire in the open.

Discharges from hydrocarbon well sites or gas treatment and production plants

Rule 9: Hydrocarbon exploration well sites

Activity classification: Controlled

This rule applies to discharges of contaminants to air from hydrocarbon exploration well sites, including combustion involving flaring or incineration of petroleum recovered from natural deposits, in association with well development or redevelopment and the testing or enhancement of well head production flows.

The Council has noted through experience in dealing with petroleum exploration that there are a number of adverse effects on the environment (especially on people) from the discharge of contaminants to air from the activity, specifically from flaring, that justify the Council in retaining control over the activities.

The Council has therefore designed Rule 9 which facilitates exploration activities in areas away from dwelling houses and limits the time per zone of flaring to be carried out.

A time limit of 15 days, per zone to be appraised, for the discharge from the flare, has been adopted to cover the range of reservoir conditions in Taranaki and ensure that adequate production performance information is able to be gained from well testing, while at the same time protecting the environment.

If the activity cannot comply with the conditions of Rule 9 or Rule 10, Rule 55 applies.

Rule 10: Hydrocarbon exploration well sites

Activity classification: Restricted Discretionary

This Rule applies to discharges of contaminants to air from hydrocarbon exploration well sites, including combustion involving flaring or incineration of petroleum recovered from natural deposits, in association with well development or redevelopment and the testing or enhancement of well head production flows, where one or more of the conditions (a) to (b) of Rule 9 cannot be met.

In certain situations the flare or incinerator point may not be able to be at least 300 metres from any dwellinghouse and/or the discharge from the flare may need to last longer than 15 days per zone. This Rule is designed to enable discharges from hydrocarbon exploration well sites to continue whilst retaining sufficient control.

The Council will be guided by the relevant policies in the Plan. However, the Council's power to decline a resource consent and to impose conditions are restricted to the matters to which the Council has restricted the exercise of its discretion, noted in the 'control/discretion' column of the Rule in the Plan.

The notification requirements, when the Council is satisfied that the adverse effects of the activity will not be more than minor, are restricted to those that were located within the buffer, at the time this Plan became operative or the time the activity was first established¹⁹, whichever was the earlier. The notification requirements also provide for those situations where previous sign-off for the activity has been obtained and the nature of the activity is otherwise unchanged and the sign-off specifies that it applies or is given irrespective of the duration of the activity.

This approach has been designed to acknowledge the issues that are currently being faced by hydrocarbon exploration operations, that is, new developments are establishing near lawfully established hydrocarbon exploration operations, that have addressed off site effects as far as is practicable and reasonable, and are now becoming constrained by the emergence of new and often incompatible land uses in the neighbourhood, especially at the time of consent renewal or consent replacement.

If the activity cannot comply with the conditions of Rule 10, Rule 55 applies.

Rule 11: All discharges from gas treatment or production plants

Activity classification: Controlled

This Rule applies to all discharges from gas treatment or production plants, including the flaring of petroleum, the operation of glycol regeneration units, and the maintenance and inspection work of tanks and other facilities that store petroleum products.

The Rule specifically excludes any activities associated with plant establishment, such as earthworks and the installation of structures, buildings and equipment. For activities associated with plant establishment, refer to Rules 42, 43 and 44.

The Council has noted through experience in dealing with gas treatment and production plants that there are a number of adverse effects on the environment (especially on people) from their operation (specifically from the flaring of petroleum) that justify the Council in retaining control over the activities.

The Council has therefore designed Rule 11 which facilitates the flare or incinerator point away from dwelling houses.

The Council also retains control over all other discharges from the plants via the conditions that it can apply on the consent as listed in the 'control/discretion' column of the Plan.

If the activity cannot comply with the conditions of Rule 11, Rule 55 applies.

Rule 12: Hydrocarbon producing well head and well sites

Activity classification: Restricted Discretionary

This Rule applies to the discharge of contaminants to air from hydrocarbon producing well head or well sites that arise as part of hydrocarbon production activities.

The Rule provides for such activities as the flaring or incineration of petroleum produced in association with the production, recovery, refining, purification or reforming of hydrocarbons including the recovery of hydrocarbons.

The same considerations arise here as under Rules 9, 10 and 11. The major difference is that there is a greater degree of permanence associated with the sources here. This has led to the Council deciding to retain the discretion to grant or decline consent for the activity. However, the Council's ability to grant or decline a consent is restricted by those matters which are listed in the 'control/discretion' column of the Rule in the Plan. This offers the applicant greater certainty, to the outcome of the consent process as they are aware of the matters that will be considered by the Council when granting or declining consents.

¹⁹ 'Activity first established' means the date an air discharge consent was first issued by the Taranaki Regional Council for the activity.

Discharge of contaminants incidental to trade processes

Rule 13: Minor discharges from commercial, retail, industrial or trade premises

Activity classification: Permitted

This Rule applies to the minor discharges of contaminants to air incidental to commercial, retail, industrial or trade processes.

There are a large number of commercial premises that are obliged by Section 15(1) of the Act to obtain resource consent.

Commercial and institutional kitchens, including hotels, restaurants, and fast food outlets, are sources of various odours. To some people, the aromas would be attractive, while to others, such as those continually exposed to them by working or living nearby, the odour could become tiresome. Other operations that are covered by this Rule are generally less favourably judged. Various commercial filters are readily available and design of collection hooding and ducting and the use of extractor fans are straightforward. The technical methods to achieve control of odours are routine. In the experience of the Taranaki Regional Council, very few of these processes cause offence to neighbours and if they do, they can be addressed on a case-by-case basis using the various enforcement options available in the Act.

Rule 13 defines those categories of commercial, retail, industrial or trade service activities discharging contaminants to air that are included within the Rule and sets out performance conditions to ensure they operate without significant adverse environmental effects.

Rule 14: Incidental discharge from hydrocarbon distribution and transmission networks

Activity classification: Permitted

Rule 14 applies to the discharge of contaminants to air from hydrocarbon distribution and transmission networks, other than as provided for in Rules 1, 2, 3 and 4, subject to the stated conditions.

From time to time pipelines, tanks, and other facilities used for the transportation and storage of hydrocarbons must be opened for inspection and maintenance. Under such circumstances, there may be residual fumes present. The level of fumes would be low (because of safety requirements for workers) and such events would be infrequent and perhaps unscheduled. The Council therefore proposes to make such activities permitted, subject to conditions.

Rule 15: Discharges from power stations, electrical substations or switchyards not covered by Rules 1 to 54 and/or Rules 56 to 63

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from power stations, electrical substations or switchyards other than as provided for in Rules 1 to 54 and/or Rules 56 to 63.

The Rule provides for the minor discharge of contaminants to air from power stations, electrical

substations or switchyards. The discharges should be permitted provided the stated conditions are met.

Rule 16: Discharges from recreational or trade processes

Activity classification: Permitted

This Rule applies to discharges to air from mineral extraction and processing activities, or training and race courses, show grounds, arenas or premises pertaining to the transport (including the storage in transit and the loading and unloading) of fertiliser, grains, berries, animal feed, coal, coke, wood chip, sawdust, wood shavings, bark, soil, aggregate, sand and cement.

The recreational areas and trade processes covered by Rule 16 have the potential to generate odours or dust that may be offensive or objectionable to neighbours or present a risk of fire or explosion. The activities listed are permitted, provided conditions to avoid offensive, objectionable or dangerous effects are met.

Discharges from abrasive blasting processes

Rule 17: Wet abrasive blasting

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from wet abrasive blasting processes (as defined in Section 2 of the Plan) whether mobile or in permanent facilities.

The use of wet abrasive blasting methods significantly reduces the amount of contaminants emitted to air and their effects on the environment (when compared to dry abrasive blasting).

However, wet abrasive blasting processes do produce dust and mists which may drift into neighbouring properties. The sprays used in wet abrasive blasting processes may also contain chemical additives. The Rule permits wet abrasive blasting whether in mobile or permanent facilities subject to compliance with the specified conditions.

Rule 18: Dry abrasive blasting – fixed source

Activity classification: Controlled

This Rule applies to the discharge of contaminants to air from both dry and wet abrasive blasting that occurs inside permanent facilities and when one or more of the conditions of Rule 17 cannot be met. The Council is concerned about the potentially significant effects that may arise from both dry and wet abrasive blasting inside permanent facilities when one or more of the conditions of Rule 17 cannot be met.

There are a large number of these operations throughout the region that cannot meet one or more of the conditions of Rule 17. A rule making these activities a controlled activity is both an efficient and effective means of dealing with these concerns. As a controlled activity the Council retains the freedom to deal with these operations on a case-by-case basis.

Rule 19: Abrasive blasting – moveable source

Activity classification: Controlled

This Rule applies to discharges to air from both dry and wet movable abrasive blasting processes that do not meet one or more of the conditions of Rule 17.

There is significant usage of mobile abrasive blasting units in Taranaki for maintenance activities, due largely to the effects of salt spray on structures, the large number of industrial processing facilities and the amount of farm equipment in the region.

Abrasive blasting processes release contaminants to air, particularly when carried out in the open with no emission control equipment. The potential adverse effects of the activity include objectionable effects of particulate matter and adverse effects on human health from exposure to fine particulate matter.

However, provided the standards and terms contained in the Rule can be met there will be no significant adverse effects on the environment. In such cases the discharge is a controlled activity.

Rule 20: Moveable abrasive blasting that does not comply with Rule 19

Activity classification: Restricted Discretionary

This Rule applies to both dry and wet moveable abrasive blasting processes that do not meet one or more of the conditions (c) to (e) of Rule 19.

Mobile abrasive blasting operations that cannot meet one or more of the conditions of Rule 19 present an increased risk of adverse environmental effects.

This has therefore led the Council to decide to retain the discretion to grant or decline consent for the activity, dependent on the nature and scale of effects and as restricted by the matters listed in the 'control/discretion' column of the Rule.

Rule 21: Use of high-silica sands in dry abrasive blasting

Activity classification: Prohibited

This Rule applies to the discharge of contaminants to air from the use of high-silica sands from moveable dry abrasive blasting processes.

The use of high silica sands is associated with the disease of silicosis, leading to lung cancer. Alternative sands and other blasting media are readily available. The use of high-silica sand is unnecessary and dangerous and therefore the activity should be prohibited.

The maximum of 2% free silica has been adopted as this is the lowest level which can be detected by current analytical methods and is the percentage recommended by the Department of Labour (Occupational Safety and Health).

Discharges from other moveable or fixed industrial sources

Rule 22: Discharges to air from the burning of bitumen on roads

Activity classification: Prohibited

This activity is prohibited by the Resource Management (National Environmental Standards [for Air Quality] Regulations 2004.

Rule 23: Discharge from a mobile or permanent asphalt/bitumen plant

Activity classification: Discretionary

This Rule applies to the discharge of contaminants to air from movable or permanent plants for the manufacture of hot-mix asphalt/bitumen paving mixes.

A mobile asphalt manufacturing plant has the potential for releasing significant quantities of dust, steam, and odour. This Rule has been designed to allow the Council the opportunity to evaluate each proposal on its merits.

Discharges of heat or water vapour-based plumes from fixed sources

Rule 24: Air-cooled heat exchangers

Activity classification: Permitted

This Rule applies to discharges of heat or water vapour to air from air-cooled heat exchanges (air conditioning units).

Many commercial, retail, trade or industrial premises use air-conditioning units for the comfort of customers and employees. In the Council's experience the effects of discharges to air from such units are negligible and therefore should be permitted.

Rule 25: Small-scale discharges to air from water-based cooling systems

Activity classification: Permitted

This Rule applies to discharges of heat or water vapour to air from small-scale water based cooling systems that are less than 10 MW maximum capacity per cooling tower or 30 MW per premises.

Small evaporative water-based systems include air conditioning units in shopping centres, office buildings and the like. In the Council's experience the effects of these units are very localised and minor and therefore the Council proposes that they be a permitted activity.

Rule 26: Large-scale discharges to air from water-based cooling systems

Activity classification: Permitted

This Rule applies to discharges of heat or water vapour to air from large-scale water based cooling systems that are over 10 MW capacity per cooling tower or 30 MW per premises, subject to the stated conditions.

The effects from larger water based cooling systems are limited to amenity effects and shading of other properties by vapour cloud. Rule 26 permits discharges from these systems provided conditions that ensure that environmental effects are minimised, can be met.

Rule 27: Discharges of steam

Activity classification: Permitted

This Rule applies to discharges of steam to air other than from an evaporative water-based cooling system, subject to the stated conditions.

The same considerations as apply for Rule 25 and 26 apply for Rule 27, with steam discharges releasing less water vapour and resulting in limited environmental effects.

The Council therefore proposes that this activity is permitted, subject to the stated condition.

Rule 28: Discharges of water vapour that do not satisfy Rule 25 or Rule 26

Activity classification: Restricted Discretionary

This Rule applies to all discharges of water vapour and steam that do not comply with Rules 25 or 26. It includes activities such as the Methanex cooling towers and the discharge of steam from the gas purification process at Kapuni. These discharges warrant a degree of control due to their localised effects. The Rule limits the exercise of the Council's discretion to those matters listed in the 'control/discretion' column of the Rule in the Plan.

Fumigation

Rule 29: Fumigation

Activity classification: Permitted

This Rule applies to discharges to air of contaminants from fumigation carried out on industrial and trade premises.

The Rule excludes the use of fumigants subject to the Hazardous Substances and New Organisms (HSNO) Act 1996²⁰.

Discharges to air from the use of fumigants are widespread at industry and trade premises (particularly at the Port in Taranaki). If conducted properly, the environmental effects of such discharges are minor. Rule 29 permits such discharges provided certain conditions can be met.

Discharges from industrial or trade premises or other places or sources:

Waste management processes

²⁰ Under the HSNO Act, anyone who manufactures, sells, uses or stores the following: 1,3-dichloropropene liquid; 1,3-dichloropropene and chloropicrin liquid; Chloropicrin liquid; Hydrocyanic acid discoid; Methyl bromide gas; Methyl bromide and chloropicrin;

Discharges of products of combustion – waste management

Rule 30: Combustion of certain waste materials other than in an incinerator

Activity classification: Prohibited

The reasons for this Rule are similar to those for Rules 8 and 61. The Taranaki Regional Council wishes to establish that certain combustion activities are unacceptable. If wastes other than those identified as acceptable in Rule 30 are to be combusted then it must be within a properly designed and operated incinerator, assessed and approved by the Council through the normal consent processes.

Rule 31: Waste incineration on site

Activity classification: Restricted Discretionary

This Rule applies to discharges of contaminants to air from the disposal by combustion of industrial and trade waste, where the waste material is generated on the premises and the activity occurs in an incinerator.

A number of institutions use incineration for on site disposal of wastes. This practice is convenient and inexpensive. However, it needs to be properly conducted, and some particular combustion processes need to be controlled on an individual basis because of specific wastes.

The Rule limits the exercise of the Council's discretion to those matters listed in the 'control/discretion' column.

Rule 32: Combustion of industrial or trade waste in a high temperature hazardous waste incinerator

Activity classification: Restricted Discretionary

This Rule applies to the discharge of contaminants to air from the disposal by combustion of industrial or trade waste in a high temperature hazardous waste incinerator. The Rule limits the exercise of the Council's discretion to those matters listed in the 'control/discretion' column.

A 'high temperature hazardous waste incinerator' is defined in the Section 2 of the Plan.

The Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004 prohibits the operation of all high-temperature hazardous waste incinerators in Taranaki, except for the operation of an incinerator located at 89 Paritutu Road, New Plymouth and for crematoria. The discharge of contaminants to air from crematoria is dealt with in Rule 55 of this Plan.

The matters for discretion in this Rule are considered to appropriately address the potential to generate adverse environmental effects from the combustion of waste (whether generated on the premises or another premises) in the high temperature hazardous waste incinerator located at 89 Paritutu Road.

Phosphine gas; Aluminum phosphide pellets (> 3 kg); and Magnesium phosphide pellets (> 3 kg) must hold a Controlled Substances Licence. These fumigants are therefore not controlled under this Plan.

Rule 33: Combustion of waste material generated on production land

Activity classification: Permitted

This Rule applies to discharges to air from the combustion of certain waste generated on production land, subject to stated conditions being met.

The burning of waste materials in open incinerators (i.e. 44 gallon drum) or open fires is a major source of dioxins, as well as a number of other toxic substances such as carbon monoxide, benzene, styrene, formaldehyde, other aldehydes, hydrochloric acid and heavy metals (especially zinc and copper).

The burning of waste in open incinerators or open fires results in localised degraded air quality, odour and health issues and should therefore be controlled by the Council.

However, given the lack of practical alternatives for waste disposal in rural areas and the dispersed nature of dwellings in the rural area the Council has designed Rule 33 which allows the burning of specified waste materials (i.e. wood or sawdust, non-chlorinated plastics (i.e. silage wrap), paper, cardboard or like materials). The specified waste has been selected to reduce the level of contaminants produced as a result of combustion.

The human health risk in the rural area is much lower than in built-up areas due to the dispersed nature of the population.

The Council will continue to promote, educate and inform the rural community about the advantages of other waste disposal techniques.

The Council considers that provided the stated conditions can be met, the burning of waste materials generated on the farm is an appropriate waste process. As noted above the Rule provides for the burning of such wastes as haylage and silage wrap, paper and cardboard, but excludes other materials such as wood or sawdust treated with arsenic or organochlorines.

Rule 34: Combustion of waste material in defined urban areas

Activity classification: Prohibited

This Rule applies to backyard burning in defined urban areas (as shown in Appendix II of the Plan) on allotments less than 0.5 hectares, and that are used primarily for residential purposes (as defined in Section 2 of the Plan) and are serviced by a weekly municipal refuse collection service. The Rule only bans burning for the purpose of waste disposal, not for cooking purposes (e.g. bbqs or hangi) or heating purposes (e.g. brazier).

Backyard burning causes localised degraded air quality, odour and health issues and is a nuisance issue and is a major source of dioxins, as well as a number of other toxic substances such as carbon monoxide, benzene, styrene, formaldehyde, and other toxic substances such as aldehydes, hydrochloric acid and heavy metals (especially zinc and copper).

With kerbside collection of recyclables established, and refuse and green waste collections in urban areas throughout the region, there are practicable alternatives readily available and therefore the burning of backyard waste in urban areas (that meets the stated criteria), should be prohibited.

Discharges from waste management processes – disposal of solid wastes to land

Rule 35: Emissions from on-farm solid waste materials disposal into land

Activity classification: Permitted

This Rule relates to the disposal of waste materials to land, (excluding the accumulation of stockpiling of animal bedding litter or manure), arising from the use of land as production land, subject to the stated conditions.

Disposal of waste materials into offal pits or farm trenches is a common waste disposal technique on farms in Taranaki. Emissions will occur due to the decomposition of wastes, and should be managed in a way that reduces air emissions.

However, given the large number (in excess of 2000) farms in Taranaki and the lack of off-property effects, a requirement for an air discharge permit for every farm dump in Taranaki is not appropriate. Rule 35 therefore limits the nature of wastes, in order to limit effects, and sets an environmental performance standard in order to ensure no off site effects.

Note: the cleaning out of calf sheds, stables or animal hospital/husbandry areas are regarded as activities that are de minimis and are therefore not regulated by this Rule or the Plan. However, the activities still have to comply with section 17 of the Act.

Rule 36: Emissions from waste disposal on residential land

Activity classification: Permitted

This Rule applies to composting or disposal to land of any waste materials on a residential property, subject to the stated conditions.

Composting and the disposal of domestic waste to land is a common waste disposal technique on residential properties. Emissions will occur due to the decomposition of wastes, and should be managed in a way that reduces air emissions.

Due to the large number of properties that carry out this activity, a requirement for an air discharge permit is not appropriate. Rule 36 therefore, limits the nature of wastes, in order to limit effects, and sets an environmental performance standard in order to ensure no off site effects.

Provided the waste materials are generated only from household activities on the property and the discharge does not result in offensive or objectionable odour or dust at or beyond the boundary of the property, then the discharge to air is permitted.

Rule 37: Discharges from active landfills

Activity classification: Controlled

This Rule applies to discharges to air of contaminants from active landfills, subject to the stated conditions.

The Rule excludes the discharge of contaminants to air from the disposal of sludges derived from the treatment of human sewage.

The discharges to air from landfill operations should be a controlled activity provided the stated conditions can be met. The matters listed in the Rule are those that the Council will retain control over, and those which affect the release of contaminants into the air from landfills. This will include control over matters contained in a landfill management plan. Other matters, such as proximity to neighbouring properties, are addressed by other means, such as the land use consent process, where there is full public involvement.

Rule 38: Emissions from closed municipal landfills

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from land having been used for the disposal of waste in the past, but which is no longer used for such disposal but which may continue to contain waste materials.

Provided there is no offensive or objectionable odour or dust, or noxious or dangerous levels of gases at or beyond the boundary of the property, discharges from closed landfills should be permitted.

Rule 39: Discharges to air from land used for the disposal of cleanfill

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from land used for the disposal of cleanfill. Cleanfill materials are defined in Section 2 of the Plan. In the absence of effects and if good practice is applied, such activities remain exempt from a consenting obligation.

However, this Rule will be applied to clearly define when a breach of the Plan is occurring and enforcement and/or a consenting obligation can be required.

Discharges from waste management processes – Liquid contaminants

Rule 40: On-farm liquid waste management processes

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from on-farm waste management processes for liquid contaminants, including but not limited to anaerobic-aerobic pond processes, overland flow or spray irrigation processes, holding sumps, or feed pad effluent management where the liquid contaminants arise from the use of land as production land or from intensive farming on the property, subject to the stated conditions.

The Taranaki Regional Council controls the operation of liquid effluent treatment processes through water

discharge permits. The potential for the release of odour can therefore be managed by ensuring that treatment processes are operated correctly. Should odours occur, they would represent a failure of waste treatment systems and can be addressed primarily via enforcement of the water discharge consent.

However, rather than simply having a reactive policy, the Council favours a proactive policy that establishes a number of controls or conditions that are to be adhered to in order to prevent the emissions of odours in the first place. Given that the water discharge regime is the primary means of managing these systems, the Council considers that the most efficient and effective means of managing odour emissions is by classifying the activity as permitted with certain conditions to be adhered to.

Rule 41: Emissions from sewage treatment systems, excluding sludge management

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from municipal sewage collection and treatment systems, including all treatment and conveyance processes.

The same approach as is adopted for Rule 40 applies to Rule 41.

The Rule excludes sludge management or removal processes. The treatment and disposal of sewage sludge needs to be placed in a different category, as the potential for odour release is much higher. As there are only a few facilities in Taranaki to which this Rule applies it is more efficient, flexible and effective to address these situations by way of individual resource consents.

Discharges from land: site development, earthworks or the application of soil conditioners

Rule 42: Site development and landscaping

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from the development, maintenance, repair or demolition of industrial or trade premises, or residential or commercial sites which are not otherwise provided for by the rules in this Plan (excluding Rule 55). The activity includes site development, landscaping, weed and pest control and the installation, construction, maintenance or demolition on the premises of roads, paved areas, buildings, structures or equipment other than as provided for in Rules 43 or 44 of the Plan.

These minor activities are permitted provided the stated conditions can be met.

Discharges from earthworks

Rule 43: Small scale earthworks

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from earthworks that exposes a contiguous area of soil of 4 hectares or less, at any one time.

The Rule excludes land used for production purposes.

The Rule provides for the minor discharge of contaminants to air from carrying out earthworks on residential, commercial or industrial or trade premises. The discharge should be permitted provided the stated conditions are met.

Rule 44: Large scale earthworks

Activity classification: Controlled

This Rule applies to discharges of contaminants to air from earthworks that exposes a contiguous area of soil of more than 4 hectares, at any one time.

The Rule excludes land used for production purposes.

This Rule provides for discharges from larger scale earthworks than the activity provided for in Rule 43. Discharges to air from this type of activity should be a controlled activity provided the stated conditions can be met. The matters listed in the Rule are those that the Council will retain control over, and those which affect the release of contaminants into the air from large scale earthworks. This will include control over matters contained in the dust control management plan.

In the Council's experience an open area of greater than 4 hectares is difficult to control dust using unsophisticated methods of dust control (i.e. water carts). An open area of greater than 4 hectares needs to be controlled by other means such as dust suppressants and/or hydroseeding, and a comprehensive dust control management plan.

Discharges from the application of fertiliser and other soil conditioners

Rule 45: Discharges to air from material used to increase soil productivity

Activity classification: Permitted

This Rule applies to discharges of contaminants to air arising incidentally from the discharge to land of materials that increase soil productivity, such as fertiliser and soil conditions (e.g. Osflo).

The Rule allows the use of fertilisers and soil conditioners as a legitimate activity, especially in rural areas where issues of reverse sensitivity might arise, when due care is taken.

The Council has proposed this Rule to acknowledge that the use of fertilisers and soil conditioners are a legitimate activity, especially in rural areas, provided the stated conditions can be met.

Discharges from aquaculture or intensive farming processes

Discharges from aquaculture processes

Rule 46: Emissions from aquaculture processes, other than agrichemicals

Activity classification: Permitted

This Rule applies to discharges to air of contaminants from aquaculture processes.

The Rule excludes discharges from the application of agrichemicals. The discharge of agrichemicals is dealt with in Rules 56 to 58 of the Plan.

In the Council's experience discharges to air from aquaculture processes are minor, provided that the conditions in Rule 46 are met, and therefore the activity should be permitted.

Problems from odour may arise from this type of activity, generally because incompatible land uses are located near each other.

The Council has designed this Rule to acknowledge that these activities, when appropriately managed, will not result in offensive or objectionable odour at or beyond the boundary of the property.

Discharges from intensive pig farming processes

Rule 47: Discharges from small intensive pig farming processes

Activity classification: Permitted

This Rule applies to discharges of contaminants to air from small scale intensive pig farming operations of fewer than 25 pigs.

The Rule allows for the activity to occur without the need for a resource consent, provided there is no offensive or objectionable odour or dust at or beyond the boundary of the property. This is considered to be an appropriate level of control for this scale of operation.

Problems from odour may arise from this type of activity because incompatible land uses are located near each other. This has occurred in the Taranaki region, particularly where residential development has occurred adjacent to already established intensive farming operations.

The Council has designed this Rule to acknowledge that these activities, when appropriately managed, will not result in offensive or objectionable odour or dust at or beyond the boundary of the property.

Rule 48: Discharges from existing intensive pig farming processes

Activity classification: Restricted Discretionary

This Rule applies to discharges of contaminants to air from larger scale existing intensive pig farming operations when a new consent is being applied for to replace or renew an existing consent. Provided the nature and scale of the effects of the activity are unchanged a consent may be granted as a restricted discretionary activity.

The Council will be guided by the relevant policies in the Plan and the good management practice guidelines contained in Appendix IV of the Plan. However, the Council's power to decline a resource consent and to impose conditions are restricted to the matters to which the Council has restricted the exercise of its discretion, noted in the 'control/discretion' column of the Rule in the Plan and

includes such matters as effects relating to odour and dust and loss of amenity.

The notification requirements, when the Council is satisfied that the adverse effects of the activity will not be more than minor, are restricted to those that were located within the buffer (refer to Table 1 Appendix IV), at the time this Plan became operative or the time the activity was first established²¹, whichever was the earlier.

This approach has been proposed to acknowledge the issues that are currently being faced by intensive farming operations, that is, new developments are establishing near lawfully established intensive farming operations, that have addressed off site effects as far as is practicable and reasonable, and are now becoming constrained by the emergence of new and often incompatible land uses in the neighbourhood, especially at the time of consent renewal or consent replacement.

Rule 49: Discharges from new large intensive pig farming processes

Activity classification: Restricted Discretionary

This Rule applies to discharges of contaminants to air from new large scale intensive pig farming operations when a consent is being applied for the new operation.

Provided conditions relating to separation distances from places of public assembly, off site dwellinghouses, roads and other sensitive land uses, can be met, the consent can be applied for as a restricted discretionary activity.

The Council will be guided by the relevant policies in the Plan and the good management practice guidelines contained in Appendix IV of the Plan. The Council's power to decline a resource consent and to impose conditions are restricted to the matters which the Council has restricted the exercise of its discretion, noted in the 'control/discretion' column of the rule table and includes such matters as effects relating to odour and loss of amenity.

Rule 50: Discharges from intensive pig farming processes that do not satisfy Rule 47, Rule 48 or Rule 49

Activity classification: Discretionary

This Rule applies to any discharges to air of contaminants from intensive pig farming where the discharge is not listed in Rules 47, 48 or 49 or does not meet the conditions in Rules 47, 48 or 49.

Discharges to air from intensive pig farming operations can have significant adverse environmental effects. Where the discharge is not listed in Rules 47, 48 or 49 or the conditions of Rules 47, 48 or 49 cannot be met, the Council will consider the discharge on a case-by-case basis as a discretionary activity.

The Council will be guided by the relevant policies in the Plan and by the good management practice

guidelines contained in Appendix IV of the Plan, when considering discharge permit applications under Rule 50.

Discharges from intensive poultry farming processes

Rule 51: Discharges from small intensive poultry farming processes

Activity classification: Permitted

This Rule applies to discharges to air from intensive poultry farming when no more than 30 000 poultry are kept at any one time.

The Rule allows for the activity to occur without the need for a resource consent, provided there is no offensive or objectionable odour or dust at or beyond the boundary of the property. This is considered to be an appropriate level of control for this scale of operation.

Problems from odour may arise from this type of activity because incompatible land uses are located near each other. This has occurred in the Taranaki region, particularly where residential development has occurred adjacent to already established intensive farming operations.

The Council has designed this Rule to acknowledge that these activities when appropriately managed will not result in offensive or objectionable odour or dust at or beyond the boundary of the property.

Rule 52: Discharges from existing poultry farming processes

Activity classification: Restricted Discretionary

This Rule applies to discharges of contaminants to air from larger scale existing intensive poultry farming operations when a new consent is being applied for to replace or renew an existing consent. Provided the nature and scale of the effects of the activity are unchanged a consent may be granted as a restricted discretionary activity.

The Council will be guided by the relevant policies in the Plan and the good management practice guidelines contained in Appendix V of the Plan. However, the Council's power to decline a resource consent and to impose conditions are restricted to the matters to which the Council has restricted the exercise of its discretion, noted in the 'control/discretion' column of the rule table and includes such matters as effects relating to odour and loss of amenity.

The notification requirements, when the Council is satisfied that the adverse effects of the activity will not be more than minor, are restricted to those that were located within the buffer (refer to Table 1 Appendix V), at the time this Plan became operative or the time the activity was first established²², whichever is the earlier.

This approach has been designed to acknowledge the issues that are currently being faced by intensive

²¹ 'Activity first established' means the date an air discharge consent was first issued by the Taranaki Regional Council for the activity.

²² 'Activity first established' means the date an air discharge consent was first issued by the Taranaki Regional Council for the activity.

farming operations, that is, new developments are establishing near lawfully established intensive farming operations, that have addressed off site effects as far as is practicable and reasonable, and are now becoming constrained by the emergence of new and often incompatible land uses in the neighbourhood, especially at the time of consent renewal or consent replacement.

Rule 53: Discharges from new large intensive poultry farming processes

Activity classification: Restricted Discretionary

This Rule applies to discharges of contaminants to air from new large scale intensive poultry farming processes when a consent is being applied for the new operation.

Provided conditions relating to separation distances from places of public assembly, off site dwellinghouses, roads and other sensitive land uses, can be met, the consent can be applied for as a restricted discretionary activity.

The Council will be guided by the relevant policies in the Plan and the good management practice guidelines contained in Appendix V of the plan. The Council's power to decline a resource consent and to impose conditions are restricted to the matters which the Council has restricted the exercise of its discretion, noted in the 'control/discretion' column of the rule table and includes such matters as effects relating to odour and loss of amenity.

Rule 54: Discharges from intensive poultry farming processes that do not satisfy Rule 51, Rule 52 or Rule 53

Activity classification: Discretionary

This Rule applies to discharges to air of contaminants from intensive poultry farming where the discharge is not listed in Rules 51, 52 or 53 or does not meet the conditions in Rules 51, 52 or 53.

Discharges to air from intensive poultry farming operations can have significant adverse environmental effects. Where the discharge is not listed in Rules 51, 52 or 53 or the conditions of Rules 51, 52 or 53 cannot be met, the Council will consider the discharge on a case-by-case basis as a discretionary activity.

The Council will be guided by the relevant policies in the Plan and by the good management practice guidelines contained in Appendix V of the Plan when considering discharge permit applications under Rule 54.

Discharges not provided for by Rules 1 – 54

Discharges from any industrial or trade premises, production land, waste management process, site development, earthworks, the application of soil conditioners, aquaculture or intensive

farming process not provided for in other rules

Rule 55: Discharges to air that cannot comply with Rules 1 - 54

Activity classification: Discretionary

This Rule applies to any discharge of contaminants into the air from any industrial or trade premises not listed in any other rule or where the activity is listed in a rule but the conditions for that rule cannot be met **OR**

any discharge from production land, waste management processes, site development, earthworks, the application of soil conditioners, aquaculture or intensive farming processes where the activity is listed in a rule but the conditions for that rule cannot be met.

Section 15(1) of the Act contains a presumption that, unless a regulation or a rule in a plan provides to the contrary, all discharges to air from industrial and trade premises require a resource consent. Rules 1 to 29 deal with discharges from industrial or trade premises, and in the case of Rules 1 to 7 discharges from production land, and provide different levels of controls on the various discharges depending on the effect of those discharges. Rules 30 to 41 deal with discharges from waste management processes. Rules 42 to 45 provide for site development, earthworks, and the application of soil conditioners on industrial or trade premises, residential and commercial properties, and farmland. Rules 46 to 54 apply to aquaculture or intensive farming activities.

Rules 30 to 54 apply to activities which are fundamental to: a) farming and commercial operations within Taranaki; and b) waste management processes. Rules 30 to 54 are activities which can result in significant adverse effects, specifically with regard to odour and dust, and therefore should be controlled by the Council. Rules 30 to 54 provide different levels of controls on the various discharges depending on the effect of those discharges.

Rule 55 applies to all discharges that do not come within the scope of the preceding rules. By classifying Rule 55 as a discretionary activity, the Council retains the ability to grant or decline a consent in accordance with the principles and objectives that are contained in the Act and the plan. This approach is considered to provide the maximum amount of flexibility for the Council in managing discharges from industrial and trade premises, production land, other places or sources, site development, earthworks, the application of soil conditioners, aquaculture and intensive farming, while retaining sufficient certainty and operational efficiency for resource users.

Discharges of agrichemicals into the air

Rule 56: Discharge of agrichemicals from farmland

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from the spraying of agrichemicals on production land.

Section 15 of the Act provides that discharges to air from places that are not industrial or trade premises (including farmland, residential properties and all moveable sources) are allowed, excluding discharges from waste management processes, unless a rule in a regional plan or proposed regional plan provides otherwise.

Rule 56 permits the discharge of agrichemicals to air on production land, provided that the conditions set out in the Rule are met. The conditions are to avoid or minimise any adverse effects of the spraying activity on neighbouring landowners and on other non-target areas. If these conditions can be met, no further restrictions or controls apply under this Plan. If these conditions cannot be met, a resource consent from Taranaki Regional Council is required (Rule 58) and specific conditions may be placed on the activity to prevent potential problems arising from spray drift. The Rule applies only to agrichemical spraying activities on production land. It does not apply to agrichemical spraying activities on residential properties, industrial sites or other properties which are not being used as production land. The distinction between production land users and other users has been made because of the higher levels and frequent agrichemical usage by production land users and the potential for more significant off site effects, compared to non-production land usage. In residential areas for example, only small volumes of agrichemicals are involved and these are applied infrequently at low pressures by hand-held equipment. To regulate the spray application of agrichemicals on all residential properties by way of rules in the Plan is not justified on the basis of actual and potential effects and would be administratively cumbersome requiring constant monitoring and possible enforcement. In these situations, the Council prefers an approach based on education and advice or the use of enforcement action when necessary.

Rule 56 includes a requirement that before spraying occurs, the landowner or occupier notifies people in occupied dwellinghouses and places of public assembly (such as schools) that are within a set distance of the area to be sprayed, that spraying is to take place. This ensures that where there is a realistic potential risk to human health or wellbeing due to the close proximity of houses or schools etc, the occupants are aware of the risk and can themselves take necessary precautions. However, conditions applying to the 'permitted' activity classification, that there be no spray drift across the boundary, still apply.

Rule 57: Discharge of agrichemicals from public amenity areas

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from the spraying of agrichemicals on public amenity areas or roadside or railside verges.

Rule 57 contains similar provisions to Rule 56 but for public amenity areas such as public parks and reserves, playgrounds and pedestrian walkways. Rule 57 continues to permit the spray discharge of agrichemicals to air from public amenity areas or roadside or railside verges provided the specified conditions are met. These conditions are to avoid or minimise adverse effects on neighbours or on people

using these areas. Because of the open and generally unrestricted access to public parks and reserves, a condition requiring public notification of an intention to spray and the placement of signs when spraying are included in Rule 57. For spraying within public places and along road frontages, individual notification of all neighbours is considered to be unnecessary and impractical. Appropriate signage at places of public access to parks etc and along roads provides an additional and effective means of public notice of spraying. Conditions requiring signage are included in the Rule.

Rule 58: Discharge of agrichemicals that do not comply with Rules 56 or 57

Activity classification: Restricted Discretionary

This Rule applies to the discharges of contaminants to air from the spraying of agrichemicals on production land or on public amenity areas or roadside or railside verges where the discharge does not satisfy the conditions in Rule 56 or Rule 57.

This Rule is designed as a catchall for those discharges that do not satisfy the conditions in Rules 56 or 57. A restricted discretionary classification is used to enable the Council to retain the option of declining consent for operations that have significant actual or potential effects. However, the Council's ability to decline a consent is restricted to those matters which are listed in the 'control/discretion' column of the Rule.

The Taranaki Regional Council has included within Appendix VII of the plan, a guideline on good spray management practice. This guideline provides an indication of the general nature of conditions that may be attached to a resource consent as well as providing guidance on the best practicable option to avoid adverse effects, from the application of agrichemicals.

Burning

Burning of vegetation on production or forested land

Rule 59: Burning of vegetation on production land or on forested land

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from the combustion of vegetation on production land or on forested land, subject to the stated conditions.

Advisory note: Rule 59 does not apply to the burning of vegetation on production land associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017*. The regulations prevail over this rule in relation to plantation forestry activities.

Burnoffs of scrub, gorse and dead plant material are a useful and efficient way of clearing production and forested land. However, significant adverse effects on air quality can occur if burning is not carried out or controlled in a proper manner. The intention of this Rule is to enable this practice to be continued in a manner that does not adversely affect the

environment and neighbouring properties. The Taranaki Regional Council has included in Appendix IX of the Plan, a guideline on good management practice to prevent or minimise the discharge of smoke from burning vegetation to assist farmers and others to avoid, remedy or mitigate the discharge of smoke from burning vegetation.

Rule 60: Burning of vegetation on production land or on forested land that does not comply with Rule 59

Activity classification: Controlled

This Rule applies to the burning of vegetation that does not comply with Rule 59.

Advisory note: Rule 60 does not apply to the burning of vegetation on production land associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017*. The regulations prevail over this rule in relation to plantation forestry activities.

In certain situations, land owners may consider that it is necessary to undertake burnoffs of greater proportions than are permitted under Rule 59. In other situations, prevailing winds or weather conditions may mean that the nuisance conditions are unlikely to be complied with. This rule is designed to enable these activities to continue whilst retaining sufficient control. The desire to retain control of the effects of burnoffs is reflected in the conditions that are contained in the 'control/discretion' column.

Burning of tyres or untreated used oil

Rule 61: Burning of tyres and used oil other than in an incinerator

Activity classification: Prohibited

This Rule applies to the burning of tyres or untreated used oil (other than as a result of fire training activities)²³, where the activity does not occur in a purpose built incinerator.

The fumes and products of combustion when tyres, rubber or untreated used oil are burned are toxic and carcinogenic. It also has a deleterious effect on amenity values (for example, black smoke plumes, soiling of other properties and odour). Unless combustion is properly regulated in an incinerator designed to operate at the right combustion conditions and with adequate after-burner scrubbing of emissions, it is prohibited by Rule 61.

Note: the NES prohibits the burning of tyres in the open and the burning of oil in the open.

Discharges from fire training activities or fire safety research or education purposes

Rule 62: Fire training activities

Activity classification: Permitted

This Rule applies to the discharge of contaminants to air from fire training activities or fire safety research or education purposes by or under the supervision of the New Zealand Fire Service Commission or a member of

a recognised legitimate fire fighting organisation or by any persons employed for (amongst other things) the purpose of fire fighting, subject to the stated conditions.

Fire training activities are undertaken on a frequent basis to enable organisations/individuals to respond in a safe, effective and efficient manner to fire fighting incidents in the region. However, significant adverse effects on air quality can occur if the activity is not carried out or controlled in a proper manner. The intention of this Rule is to enable this activity to occur in a manner that does not adversely affect the environment and neighbouring properties.

Rule 63: Fire training activities that do not comply with Rule 62

Activity classification: Controlled

This Rule applies to fire training activities that do not comply with Rule 62.

In certain situations, prevailing winds or weather conditions may mean that the nuisance conditions of Rule 62 are unlikely to be complied with. This Rule is designed to enable these activities to continue whilst retaining sufficient control. The desire to retain control of the effects of fire training activities is reflected in the conditions that are contained in the 'control/discretion' column.

²³ Rules 62 and 63 apply to fire training activities.

Discharges from industrial or trade premises or industrial or trade processes (excluding waste management processes)²⁴

²⁴ **Note:** Rules 1 to 7 provide for discharges to air whether on industrial or trade premises or on production land.

Discharges of Products of Combustion – Specified Fuel Types

For information requirements refer to Section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from equipment burning natural gas or liquefied petroleum gas as a fuel for any purpose, except for direct heating, whether on industrial or trade premises or on production land	1 Small-scale combustion of natural gas or liquefied petroleum gas	a) The maximum rate of heat release from within the combustion process does not exceed 1 MW per combustion chamber b) Discharge is free of visible smoke	Permitted			
Discharges of contaminants to air from equipment burning natural gas or liquefied petroleum gas as a fuel for any purpose, excluding direct heating, whether on industrial or trade premises or on production land, where; the discharge does not satisfy condition (b) of Rule 1	2 Small-scale combustion of natural gas or liquefied petroleum gas producing visible smoke	a) The maximum rate of heat release from within the combustion process does not exceed 1 MW per combustion chamber	Controlled		a) Duration of consent b) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, on or relating to mass discharge rates c) Best practicable option to prevent or minimise off site environmental effects d) Visual effects, loss of amenity value of air, chronic or acute human or animal health effects, effects on areas identified in Policy 2.3, energy efficiency and ecological effects e) Monitoring and reporting requirements f) Review of the conditions of consent and the timing or purpose of the review g) Payment of administrative charges h) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3
Discharges of contaminants to air from equipment burning natural gas or liquefied petroleum gas as a fuel for any purpose, excluding direct heating, whether on industrial or trade premises or on production land	3 Mid-scale combustion of natural gas or liquefied petroleum gas	a) The maximum rate of heat release from within each or any combustion process exceeds 1 MW but is less than 10 MW per combustion chamber and less than 30 MW per premises (all combustion equipment) b) Discharge is free of visible smoke c) Discharge must not be noxious, dangerous, offensive or objectionable, at or beyond the boundary of the premises and on such parts of the electricity transmission network that lie within the boundary of the premises d) Discharge stack height complies with Part II of Appendix VIII, 'Determination of Chimney Heights', contained in this Plan e) Burner optimisation must be regularly maintained by a competent service person f) Discharger must adopt the best practicable option to minimise off site effects g) Minimum vertical efflux velocity of 5 m s ⁻¹	Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		h) The discharge shall not cause air to move at a velocity greater than 4.3 metres per second through: (i) any aerodrome protection surface				
Discharges of contaminants to air from equipment burning natural gas or liquefied petroleum gas as a fuel for any purpose, excluding direct heating, whether on industrial or trade premises or on production land, where; the discharge does not satisfy one or more of conditions (b) to (g) of Rule 3	4 Mid-scale combustion of natural gas or liquefied petroleum gas producing visible smoke	a) The maximum rate of heat release from within the combustion process exceeds 1 MW but is less than 10 MW per combustion unit and less than 30 MW per premises (all combustion equipment)	Controlled		a) Duration of consent b) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates c) Best practicable option to prevent or minimise off site environmental effects d) Visual effects, loss of amenity value of air, chronic or acute human or animal health effects, soiling or damage to property, effects on areas identified in Policy 2.3, energy and ecological effects e) Monitoring and reporting requirements f) Review of the conditions of consent and the timing and purpose of the review g) Payment of administrative charges h) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3
Discharges of contaminants to air from equipment burning wood (including sawdust), diesel, kerosene, petroleum, coke, coal, charcoal, oil or non-chlorinated alcohols as a fuel for any purpose, excluding direct heating, whether on industrial or trade premises or on production land ²⁵	5 Small-scale combustion of specified fuels not covered by Rules 1 and 2	a) The maximum rate of heat release from within the combustion process does not exceed 400 kW per combustion chamber b) Discharge must not be noxious, dangerous, offensive or objectionable at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises c) Discharge stack height complies with Part II of Appendix VIII, 'Determination of Chimney Heights', contained in this Plan d) Total dust and smoke discharge concentration is less than 250 mg/m ³ (NTP) e) Discharger must adopt the best practicable option to minimise off site effects f) No wood or sawdust which has been treated with arsenic or organochlorines is to be combusted g) No untreated used oil is to be combusted h) No trade wastes or refuse is to be combusted	Permitted			
Discharges of contaminants to air from any industrial or trade	6	a) The maximum rate of heat release from within the combustion process exceeds 400 kW but	Permitted			

²⁵ If one or more of the conditions (f) to (h) cannot be met, Rule 55 applies.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
premises involving equipment burning wood (including sawdust), diesel, kerosene, petroleum, coke, coal, charcoal, oil or non-chlorinated alcohols as a fuel for any purpose, excluding direct heating, whether on industrial or trade premises or on production land ²⁶	Mid-scale combustion of specified fuels not covered by Rules 3 and 4	<p>does not exceed 5 MW per combustion chamber or 10 MW per premises (all combustion equipment)</p> <p>b) Discharge must not be noxious, dangerous, offensive or objectionable at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises</p> <p>c) Discharge stack height complies with Part II of Appendix VIII, 'Determination of Chimney Heights', contained in this Plan</p> <p>d) Total dust and smoke discharge concentration is less than 125 mg/m³ (NTP)</p> <p>e) Burner optimisation must be checked by a competent service person on a six-monthly basis</p> <p>f) Discharger must adopt the best practicable option to minimise emissions</p> <p>g) Minimum vertical efflux velocity of 5 ms⁻¹</p> <p>h) No wood or sawdust which has been treated with arsenic or organochlorines is to be combusted</p> <p>i) No untreated used oil is to be combusted</p> <p>j) No trade wastes or refuse is to be combusted</p> <p>k) The discharge shall not cause air to move at velocity greater than 4.3 metres per second through:</p> <p>(i) any aerodrome protection surface</p>				
<p>Discharges of contaminants to air from any industrial or trade premises involving equipment burning wood (including sawdust), diesel, kerosene, petroleum, coke, coal, charcoal, oil or non-chlorinated alcohols as a fuel for any purpose, excluding direct heating, whether on industrial or trade premises or on production land, where;</p> <p>the discharge does not satisfy one or more of the conditions (b) to (e)</p>	7 Combustion of specified fuels where the combustion process does not meet conditions (b) to (e) of Rule 5 and (b) to (g) of Rule 6	a) The maximum rate of heat release from within the combustion process does not exceed 5 MW per combustion chamber or 10 MW per premises (all combustion equipment)	Controlled		<p>a) Duration of consent</p> <p>b) Stack height and efflux velocity</p> <p>c) Maximum dust concentration or mass discharge</p> <p>d) Maximum rate of heat release</p> <p>e) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates</p> <p>f) Best practicable option to prevent or minimise off site environmental effects</p> <p>g) Visual effects, loss of amenity value of air, chronic or acute human or animal health effects, soiling or damage to property, effects on areas identified in</p>	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

²⁶ If one or more of conditions (h) to (j) cannot be met, Rule 55 applies.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
of Rule 5 or one or more of conditions (b) to (g) of Rule 6 ²⁷					Policy 2.3, odour, energy efficiency and ecological effects h) Monitoring and reporting requirements i) Review of the conditions of consent and the timing and purpose of the review j) Payment of administrative charges k) Payment of financial contributions	

Discharges from the Combustion of Materials Containing Metal

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the combustion of coated or covered metal cable, motor vehicles or parts of motor vehicles, or any other mixture or combinations of metals and combustible substances, (other than as a result of welding activities ²⁸ or fire training activities) ²⁹ where the activity does not occur in an incinerator or furnace	8 Combustion of materials containing metals (whether ferrous or non ferrous)		Prohibited			

Discharges from Hydrocarbon Well Sites or Gas Treatment and Production Plants

For information requirements refer to section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from hydrocarbon exploration well sites, including combustion involving flaring or incineration of petroleum recovered from natural	9 Hydrocarbon exploration well sites	a) Flare or incinerator point is at least 300 metres from any dwelling house b) The discharge to air from the flare must not last longer than 15 days cumulatively, inclusive of testing, clean-up, and completion	Controlled		a) Duration of consent b) Duration of flaring or other emissions c) The material to be flared	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

²⁷ If one or more of conditions (f) to (h) of Rule 5 or one or more of conditions (h) to (j) of Rule 6 cannot be met, Rule 55 applies.

²⁸ Rule 13 applies to welding activities.

²⁹ Rules 62 and 63 apply to fire training activities.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
deposits, in association with well development or redevelopment and testing or enhancement of well head production flows		stages of well development or work-over, per zone to be appraised c) No material to be flared or incinerated, other than those derived from or entrained in the well stream			d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Location of any facilities or equipment for hydrocarbon flaring in relation to surrounding land uses g) Separation of natural gas from liquid hydrocarbons and water h) Notification of flaring to neighbours, affected parties, and the Council i) Recording of flare usages and smoke emissions j) Oil recovery requirements k) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3 l) Monitoring and information m) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints n) Review of the conditions of consent and the timing and purpose of the review o) Payment of administrative charges p) Payment of financial contributions	
Discharges of contaminants to air from hydrocarbon exploration well sites, including combustion involving flaring or incineration of petroleum recovered from natural deposits, in association with well development or redevelopment and testing or enhancement of well head production flows, that do not meet one or more of the conditions (a) to (b) of Rule 9	10 Hydrocarbon exploration well sites that do not comply with Rule 9	a) No material to be flared or incinerated, other than those derived from or entrained in the well stream	Restricted Discretionary	Applications will be publicly notified unless the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor If the Taranaki Regional Council is satisfied that the adverse effects of the activity will not be more than minor, the Council will serve notice of applications on the owners and the occupiers of any dwellinghouse located	a) Duration of consent b) Duration of flaring or other emissions c) The material to be flared d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Location of any facilities or equipment for hydrocarbon flaring in relation to surrounding land uses g) Separation of natural gas from liquid hydrocarbons and water h) Notification of flaring to neighbours, affected parties, and the Council	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
				<p>within 300 metres of the flare or incinerator point at the time this Plan became operative or the time the activity was first established³⁰, whichever was the the earlier, who have not otherwise given written approval for the activity.</p> <p>For the avoidance of doubt, a written approval given by an owner or occupier when an activity was first established shall remain applicable to, and be deemed to also be written approval for, the re-consenting of that activity, if the following conditions are met:</p> <p>(a) a new consent is being applied for to replace or renew an existing consent; and</p> <p>(b) the nature, scale and extent of the activity and its effects (other than duration of flaring) are the same as or less than that authorised by the existing consent being replaced or renewed; and</p> <p>(c) the approval states that it is given irrespective of the duration of the flaring activity.</p>	<p>i) Recording of flare usages and smoke emissions</p> <p>j) Oil recovery requirements</p> <p>k) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3</p> <p>l) Monitoring and information</p> <p>m) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints</p> <p>n) Review of the conditions of consent and the timing and purpose of the review</p> <p>o) Payment of administrative charges</p> <p>p) Payment of financial contributions</p>	
Discharges of contaminants to air from gas treatment or production plants ³¹	11 All discharges from gas treatment or production plants	a) Flare or incinerator point is a distance equal to or greater than 300 metres from any dwelling house	Controlled		<p>a) Duration of consent</p> <p>b) Duration of flaring or other emissions</p> <p>c) The material to be flared</p> <p>d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates</p> <p>e) Best practicable option to prevent or minimise any adverse effects on the environment</p>	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

³⁰ 'Activity first established' means the date an air discharge consent was first issued by the Taranaki Regional Council for the activity.

³¹ Excludes any activities associated with plant establishment, such as earthworks and the installation of structures, buildings and equipment.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
					<ul style="list-style-type: none"> f) Location of any facilities or equipment discharging to air in relation to surrounding land uses g) Separation of natural gas from liquid hydrocarbons and water h) Recording of flare usage, site fuel gas usage and smoke emissions i) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3, and energy and on-site gas use efficiency and gas loss management investigations and reporting on implementation j) Monitoring and information k) Liaison with neighbours, affected parties and the Council l) Notification of flaring to neighbours, affected parties, and the Council m) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints n) Review of the conditions of consent and the timing and purpose of the review o) Payment of administrative charges p) Payment of financial contributions 	
Discharges of contaminants to air from hydrocarbon producing well head or well sites arising as part of hydrocarbon production activities	12 Hydrocarbon producing well head or well sites		Restricted Discretionary		<ul style="list-style-type: none"> a) Duration of consent b) Duration of flaring or other emissions c) The material to be flared d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Location of any facilities or equipment for hydrocarbon flaring in relation to surrounding land uses g) Separation of natural gas from liquid hydrocarbons and water h) Notification of flaring to neighbours, affected parties, and the Council i) Recording of flare usages and smoke emissions 	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
					j) Oil recovery requirements k) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3, and energy and on-site gas use efficiency investigations and reporting l) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints m) Monitoring and information n) Liaison with neighbours, affected parties, and the Council o) Review of the conditions of consent and the timing and purpose of the review p) Payment of administrative charges q) Payment of financial contributions	

Discharge of Contaminants Incidental to Trade Processes

For information requirements refer to section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from: premises for the retail distribution of motor fuels, OR Premises for the manufacture or preparation or cooking of food or beverages for human consumption but excluding - - the extraction, distillation, or purification of animal or vegetable oil or fat other than as a process incidental to the cooking of food, - any process for the rendering or reduction or drying of animal, fish or bird matter (including feathers, blood, bone, skin or offal),	13 Minor discharges from commercial, retail, industrial or trade premises	For all activities: a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property, including but not limited to any risk of fire or explosion	Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
<ul style="list-style-type: none"> - any processes for the slaughter or skinning of animals, and - any processes for the drying of milk or milk products, OR <p>Premises for the cleaning, washing, or drying of garments, that are discharging steam, or consuming perchlorethylene or low aromatic white spirit, OR</p> <p>Premises used primarily for the sale, servicing or repair of motor vehicles, trailers and boats, including body and engine repairs such as panel beating, spray and brush painting, undersealing, steam cleaning, and fibreglassing, OR</p> <p>Premises used for processes involving the application of coating materials (including paint, paint solvents, varnish, lacquer, dyes, metal oxide coatings, adhesive coatings, elastomer coatings, stains, and polishes), OR</p> <p>Premises used for processes involving dyeing, printing, or finishing of yarns, threads, or woven, non-woven or knitted fabrics or garments, but excluding chemical reactions of monomers for production of synthetic threads, fellmongery, tanning, the curing of leathers or wool scouring, OR</p> <p>Premises used for the storage in transit, including the unloading, of waste materials, OR</p> <p>Premises used for the manufacture of concrete products, OR</p>		<p>For premises for the cleaning, washing or drying of garments:</p> <p>d) Rate of consumption of perchlorethylene does not exceed 30 litres per day</p> <p>e) Rate of consumption of aromatic white spirit does not exceed 60 litres per day</p> <p>For premises for the carrying out of processes involving the application of coating materials:</p> <p>f) Rate of consumption of coating materials does not exceed 200 litres per day</p>				

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Premises used for the carrying out of welding, soldering or other metal fusing activities						
Discharges of contaminants to air from hydrocarbon distribution and transmission networks ³² , other than as provided for in Rules 1, 2, 3, and 4	14 Discharges from hydrocarbon distribution and transmission networks	a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property, including but not limited to any risk of fire or explosion	Permitted			
Discharges of contaminants to air from power stations, electrical substations or switchyards other than as provided for in Rules 1 to 54 and/or Rules 56 to 63	15 Discharges from power stations, electrical substations or switchyards not covered by Rules 1 to 54 and/or Rules 56 to 63	a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property, including but not limited to any risk of fire or explosion	Permitted			
Discharges of contaminants to air from; mineral extraction and processing activities, OR training and race courses, OR show grounds, OR arenas, OR premises pertaining to the transport (including storage in transit and the	16 Discharges from recreational areas or trade premises	a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property, including but not limited to any risk of fire or explosion	Permitted			

³² 'Distribution network' includes facilities providing storage of gas treated to a supply specification that has entered a distribution network post production, whether storage is above ground or underground and in constructed or in natural reservoirs, but does not include re-injection of gas (hydrocarbon or otherwise) into a zone of a producing well for production enhancement, such as by flushing or re-pressurisation.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
loading and unloading) of fertiliser, grains, berries, animal feed, coal, coke, wood chip, sawdust, wood shavings, bark, soil, aggregate, sand, cement						

Discharges from Abrasive Blasting Processes

For information requirements refer to Section 5

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 introduced standards for electricity transmission activities that prevail over plan rules. Accordingly Rules 17-21 do not apply to the activities relating to existing transmission lines specified in regulation 4 of the National Environmental Standards for Electricity Transmission Activities and covered by that National Environmental Standard. Appendix I contains the rules for abrasive blasting that will apply to Electricity Transmission Activities regulated by the National Environmental Standards for Electricity Transmission Activities.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from wet abrasive blasting processes whether mobile or in permanent facilities	17 Wet abrasive blasting	<ul style="list-style-type: none"> a) Particulate deposition rate beyond the boundary of the property arising from the discharge is less than 0.13 g/m²/day b) Sand used for blasting must contain less than 5% by dry weight free silica c) Sand used for blasting must contain less than 2% by dry weight dust able to pass through a 0.15 millimetre mesh sieve d) Process must not result in any deposition of contaminants within 10 metres of a waterbody e) All work areas and surrounding areas must be kept substantially free of accumulations of deposited blasting medium and other debris. Areas are to be cleared of blasted material at the end of each blasting session and by the end of each working day f) All premises or items to be blasted must be screened by means of screens, covers, tarpaulins, cladding or other means to contain emissions, including overspray or mists, within the boundary of the property or premises on which blasting is occurring g) Discharge (including overspray, mists, chemical additives, or debris) must not result in noxious, dangerous, offensive or 	Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>objectionable levels of airborne contaminants at or beyond the boundary of the property or premises and on such parts of the electricity transmission network that lie within the boundary of the premises</p> <p>h) Discharge must not cause any significant adverse environmental effects, either directly or as a consequence of run-off or soakage</p>				
Discharges of contaminants to air from dry abrasive blasting processes inside permanent facilities, or wet abrasive blasting processes inside permanent facilities that do not meet one or more of the conditions of Rule 17	18 Abrasive blasting - fixed source	<p>a) Discharge concentration of dust is less than 125 mg/m³ (NTP)</p> <p>b) Particulate deposition rate beyond the boundary of the property and arising from the discharge is less than 0.13 g/m²/day</p> <p>c) Sand used for blasting must contain less than 5% by dry weight free silica</p> <p>d) Sand used for blasting must contain less than 2% by dry weight dust able to pass a 0.15 millimetre mesh sieve</p> <p>e) Discharge (including overspray, mists, chemical additives, or debris) must not result in noxious, dangerous, offensive or objectionable levels of airborne contaminants at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises</p> <p>f) The discharge of suspended particulate matter shall not exceed 3 mg/m³ (measured under ambient conditions) beyond the boundary of the property</p>	Controlled		<p>a) Duration of consent</p> <p>b) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates</p> <p>c) Best practicable option to prevent or minimise any adverse effects on the environment</p> <p>d) Design and construction and operation of facilities</p> <p>e) Proposed management and storage of unused and waste blasting media</p> <p>f) Chemicals to be used for wet sand or water blasting</p> <p>g) Means of minimising environmental effects when abrasive blasting over-sized articles</p> <p>h) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3</p> <p>i) Review of the conditions of consent and the timing and purpose of the review</p> <p>j) Payment of administrative charges</p> <p>k) Payment of financial contributions</p>	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3
Discharges of contaminants to air from moveable dry abrasive blasting processes or from moveable wet abrasive blasting processes that do not meet one or more of the conditions of Rule 17	19 Abrasive blasting – moveable source	<p>a) Sand used for dry abrasive blasting must contain less than 5% by dry weight free silica</p> <p>b) Sand used for dry abrasive blasting must contain less than 2% by dry weight dust able to pass a 0.15 millimetre mesh sieve</p> <p>c) Discharge (including overspray, mists, chemical additives, or debris) must not result in noxious, dangerous, offensive or objectionable levels of airborne contaminants beyond the boundary of the property and on such parts of the electricity transmission</p>	Controlled		<p>a) Duration of consent</p> <p>b) Area of the region over which the consent may be exercised</p> <p>c) Proposed management and storage of unused waste blasting media</p> <p>d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates</p> <p>e) Best practicable option to prevent or minimise any adverse effects on the environment</p> <p>f) Disposal of used blasting debris and media</p> <p>g) Chemicals to be used for blasting</p>	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>network that lie within the boundary of the premises</p> <p>d) The discharge of suspended particulate matter shall not exceed 3 mg/m³ (measured under ambient conditions), and the deposition of dust shall not exceed 0.13 g/m²/day beyond the boundary of the property or beyond 50 metres of the discharge when sited on public amenity areas, whichever is less</p> <p>e) Abrasive blasting within 200 metres of any dwellinghouse or property boundary may take place only after either public notice or individual notice to all affected owners or occupiers has been given</p>			<p>h) Nature of articles that may be blasted other than within a permanent enclosed structure</p> <p>i) Alternatives to dry sand abrasive blasting</p> <p>j) Allowable wind speed and direction when blasting</p> <p>k) Screening requirements when blasting in the open air</p> <p>l) Notification and protective measures when blasting in proximity to residential buildings or property boundaries</p> <p>m) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3</p> <p>n) Review of consent and the timing and purpose of the review</p> <p>o) Payment of administrative charges</p> <p>p) Payment of financial contributions</p>	
Discharges of contaminants to air from moveable dry or wet abrasive blasting processes that do not meet one or more of the conditions (c) to (e) of Rule 19	20 Moveable abrasive blasting that does not comply with Rule 19	<p>a) Sand used for dry abrasive blasting must contain less than 5% by dry weight free silica</p> <p>b) Sand used for dry abrasive blasting must contain less than 2% by dry weight dust able to pass a 0.15 millimetre mesh sieve</p>	Restricted Discretionary		<p>a) Duration of consent</p> <p>b) Area of the region over which the consent may be exercised</p> <p>c) Proposed management and storage of unused and waste blasting media</p> <p>d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates</p> <p>e) Best practicable option to prevent or minimise any adverse effects on the environment</p> <p>f) Disposal of used sand and blasting debris</p> <p>g) Chemicals to be used for wet sand or water blasting</p> <p>h) Nature of articles that may be blasted other than within a permanent enclosed structure</p> <p>i) Alternatives to dry sand abrasive blasting</p> <p>j) Allowable wind speed and direction when blasting</p> <p>k) Screening requirements when blasting in the open air</p> <p>l) Additional notification and protective measures when blasting in proximity to a watercourse</p> <p>m) Dry abrasive blasting in proximity of residential buildings or property boundaries</p>	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
					n) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3 o) Review of consent and the timing and purpose of the review p) Payment of administrative charges q) Payment of financial contributions	
Discharges of contaminants to air from dry abrasive blasting processes when the sand used for abrasive blasting contains 5% or more by dry weight free silica or 2% or more by dry weight dust able to pass a 0.15 millimetre mesh sieve	21 Use of high-silica sands in dry abrasive blasting		Prohibited			

Discharges from Other Moveable and Fixed Industrial Sources

For information requirements refer to section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the burning of bitumen on a road	22 Moveable road burners		Prohibited			
Discharges of contaminants to air from a moveable or permanent plant for the manufacture of hot-mix asphalt/bitumen paving mixes	23 Moveable or permanent asphalt/bitumen plants		Discretionary			1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

Discharge of Heat or Water Vapour-Based Plumes from Fixed Sources

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of heat or water vapour to air from air-cooled heat exchangers	24 Air-cooled heat exchangers		Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of heat or water vapour to air from small-scale evaporative water-based cooling tower processes	25 Small-scale discharges to air from water-based cooling systems	a) Cooling tower processes are equal to or less than 10 MW maximum per cooling tower or 30 MW per premises b) The discharge shall not cause air to move at a velocity greater than 4.3 metres per second through: (i) any aerodrome protection surface	Permitted			
Discharges of heat or water vapour to air from large-scale evaporative water-based cooling tower processes	26 Large-scale discharges to air from water-based cooling systems	a) Cooling tower processes are greater than 10 MW maximum capacity per cooling tower or 30 MW per premises b) Visible plume shall never be closer than two kilometres away from any point within a national park or coastal marine area c) Visible plume shall never be closer than one kilometre away from any defined urban area d) Visible plume shall not extend into or across any airport, airfield or aerodrome or impinge on any aerodrome protection surface observed at any airport, airfield or aerodrome or cause air to move through any aerodrome protection surface at a velocity greater than 4.3 m s ⁻¹ e) The plume and tower shall not obscure sunlight from any pre-existing dwellinghouse, unless prior approval has been obtained from all owners and occupiers of pre-existing dwellinghouses f) Droplet drift rate is less than 0.1% if the thermal rating is greater than 150 MW g) Droplet drift rate is less than 0.2% if the thermal rating is less than 150 MW h) Chromium-based corrosion inhibitors are not used in water treatment i) The Taranaki Regional Council must be informed of the water treatment regime in use	Permitted			
Discharges of steam to air other than from an evaporative water-based cooling tower	27 Discharges of steam	a) Visible plume does not cross boundary of property upon which it originates	Permitted			
Discharges to air of heat or water vapour from evaporative water-	28		Restricted Discretionary		a) Duration of consent b) Water treatment chemicals that may be used	1.1, 1.2, 1.3, 2.1, 2.3, 2.4,

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
based cooling towers that do not meet one or more of the conditions of Rule 25 or Rule 26, whichever is relevant	Discharges from cooling towers that do not comply with Rules 25 or 26				c) Stack height and efflux velocity d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Plume height and length g) Maximum droplet release rate h) Monitoring and reporting requirements i) Visual effects, loss of amenity value of air, chronic or acute human or animal health effects, odour, shading of dwellinghouses or production land and effects on areas identified in Policy 2.3 j) Review of the conditions of consent and the timing and purpose of the review k) Payment of administrative charges l) Payment of financial contributions	2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3

Discharges from Fumigation

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air arising from fumigation on industrial or trade premises excluding the use of fumigants subject to the Hazardous Substances and New Organisms (HSNO) Act 1996 ³³	29 Fumigation	a) Discharge must not result in offensive or objectionable odour or dust or fumigant at or beyond the boundary of the property b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property and on such parts of the electricity network that lie within the boundary of the premises, including, but not limited to, any risk of fire or explosion d) Discharger must adopt the best practicable option to prevent or minimise any adverse	Permitted			

³³ Under the HSNO Act, anyone who manufactures, sells, uses or stores the following: 1,3-dichloropropene liquid; 1-3-dichloropropene and chloropicrin liquid; Chloropicrin liquid; Hydrocyanic acid discoloid; Methyl bromide gas; Methyl bromide and chloropicrin; Phosphine gas; Aluminum phosphide pellets (> 3 kg); and Magnesium phosphide pellets (> 3 kg) must hold a Controlled Substances Licence. These fumigants are therefore not controlled under this Plan.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		effects of the discharge beyond the boundary of the property				

**Discharges from industrial or trade premises or other places or sources:
waste management processes**

Discharges from Waste Management Processes – Combustion

For information requirements refer to Section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the disposal by combustion of waste materials collected from premises or properties other than the site where the combustion occurs, where; the activity does not occur in an incinerator, and the combustible waste materials contain other than paper, cardboard, timber not treated with arsenic or organochlorine substances, or non-chlorinated plastics	30 Combustion of specific waste materials other than in an incinerator		Prohibited			
Discharges of contaminants to air from the disposal by combustion of industrial or trade waste, where; the waste material is generated on the premises, and the activity occurs in an incinerator	31 Combustion of industrial or trade waste in an incinerator		Restricted Discretionary		<ul style="list-style-type: none"> a) Duration of consent b) Imposition of limits on or relating to discharge or ambient concentrations, or on or relating to mass discharge rates c) Best practicable option to prevent or minimise any adverse effects on the environment d) Location of any facilities or equipment discharging to air in relation to surrounding land uses e) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3 f) Monitoring and information g) Liaison with neighbours, affected parties and the Council h) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints 	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3, 5.1, 5.2, 5.3

Note: The Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004 prohibits the operation of an incinerator at a school or a healthcare institution unless a resource consent has been granted for the discharge produced.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
					i) Review of the conditions of consent and the timing and purpose of the review j) Payment of administrative charges k) Payment of financial contributions	
Discharges of contaminants to air from the disposal by combustion of industrial or trade waste in a high temperature hazardous waste incinerator ³⁵	32 Combustion of industrial or trade waste in a high temperature hazardous waste incinerator		Restricted Discretionary		a) Duration of consent b) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates c) Best practicable option to prevent or minimise any adverse effects on the environment d) Location of any facilities or equipment discharging to air in relation to surrounding land uses e) Visual effects, loss of amenity value of air, chronic or acute human health effects, soiling or damage to property, odour, annoyance and offensiveness, effects on ecosystems, plants and animals and effects on areas identified in Policy 2.3 f) Monitoring and information g) Liaison with neighbours, affected parties and the Council h) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints i) Review of the conditions of consent and the timing and purpose of the review j) Payment of administrative charges k) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.2, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3, 5.1, 5.2, 5.3
Discharges of contaminants to air from the disposal by combustion of waste material generated on production land ³⁶	33 On-farm solid waste disposal by combustion	a) The waste materials are generated only on the property b) The maximum rate of combustion is less than 1000 kg of waste per hour c) The materials for combustion are restricted to wood or sawdust, non-chlorinated plastics (including non-chlorinated haylage and silage wrap), paper, cardboard and like materials	Permitted			

³⁵ A definition of 'high temperature hazardous waste incinerator' is included in the Definitions Section of this Plan. The definition is based on the definition included in the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004. See section 1.5.1 of this Plan for the requirements of the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004 in relation to 'high temperature hazardous waste incinerators'.

³⁶ **Note:** Rules 59 and 60 address discharges to air from the burning of vegetation on production land or on forested land.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		d) No wood or sawdust which has been treated with arsenic or organochlorines is to be combusted e) No oil is to be combusted in the open air ³⁷ f) No tyres are to be combusted ³⁸ g) Discharger must adopt the best practicable option to prevent or minimise any adverse effects of the discharge of smoke beyond the boundary of the property h) Discharge must not give rise to any of the following effects, at or beyond the boundary of the property: <ul style="list-style-type: none"> - an ambient concentration of hazardous, noxious, dangerous, offensive or objectionable contaminants such that any person, ecosystem or structure is or is likely to be adversely affected; - objectionable or offensive odours; - the restriction of visibility on any public amenity areas, places of public assembly or national park or any place, area or feature of special significance to tangata whenua; - disruption of traffic movements on land, sea or air; or - the soiling of property 				
Discharges of contaminants to air from the combustion of domestic waste products and green waste, outdoors within a defined urban area ³⁹ , where; the allotment is less than 0.5 hectares in size, and is used primarily for residential purposes, and is serviced by a weekly municipal refuse collection service	34 Residential waste disposal by combustion		Prohibited			

Note: Rule 34 only prohibits burning for the purpose of waste disposal, not for the cooking (e.g. bbqs or hangi) or heating purposes (e.g. brazier).

³⁷ No oil is to be burnt in the open air except as provided for by the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004.

³⁸ No tyres are to be burnt in the open air except as provided for by the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004.

³⁹ Defined urban areas are shown in Appendix II of the Plan.

Discharges from Waste Management Processes – Disposal of Solid Wastes to Land

For information requirements refer to Section 5

(Discharge of contaminants to air (particularly but not exclusively odour, carbon dioxide, methane, and dust) from the disposal to land of waste materials (other than for the purpose of increasing soil productivity on the property in question)⁴⁰

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the disposal to land of waste materials (excluding the accumulation of stockpiling of animal bedding litter or manure), arising from the use of land as production land	35 On-farm solid waste disposal to land	<ul style="list-style-type: none"> a) The waste materials are generated only on the property b) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises c) Any offal hole must be completely covered by an impervious lid other than when waste materials are being disposed of into the hole d) Disposal of offal, carcasses, animal parts or foodstuffs having been intended for human or animal consumption or residues arising from them (but excluding dry manure or dry litter), to land, excluding an offal hole, must be covered as soon as practicable with a minimum depth of 50 millimetres of soil, sawdust or sand 	Permitted			
Discharges of contaminants to air from the composting or disposal to land of any waste materials on a residential property, where the materials arise from the residential use of land upon which a dwellinghouse is located	36 Composting or disposal to land of waste material – residential areas	<ul style="list-style-type: none"> a) The waste materials are generated only on the property b) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property 	Permitted			
Discharges of contaminants to air from land used for the disposal of waste materials other than as provided for in Rule 35 or Rule 36 but excluding discharges of contaminants to air from the disposal of sludges derived from the treatment of human sewage	37 Active landfills	<ul style="list-style-type: none"> a) Discharge must not result in offensive or objectionable odour or dust or in noxious or dangerous levels of gases at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) The applicant must provide with an application, a landfill management plan covering litter control and mitigation, acceptance and control of waste quantities 	Controlled		<ul style="list-style-type: none"> a) Whether or not the landfill management plan submitted to the Council, and its contents, is appropriate to avoid or minimise discharges of contaminants to air, or effects, and any necessary modification to that plan b) Duration of consent c) Monitoring and information d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates 	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3, 5.1, 5.2, 5.3

⁴⁰ Although the disposal of waste material by the discharge of solid contaminants to land may increase soil productivity, Rules 35 and 36 apply to those discharges of solid contaminants to land whose primary purpose is the disposal of waste materials.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		and types, site access control, the prevention of combustion, the placement and compaction of wastes, interim and final capping, landfill gas management measures, dust control, and odour control			e) Best practicable option to prevent or minimise any adverse effects on the environment f) All matters in the landfill management plan as listed in condition (b) of this Rule g) Visual effects, loss of amenity value of air, odour, soiling or damage to property, effects on areas identified in Policy 2.3 and ecological effects arising from carbon dioxide or methane discharges h) Liaison with neighbours, affected parties, and the Council i) Contingency measures and investigations, remediation and response procedures for non-routine discharge events and complaints j) Review of the conditions of consent and the timing and purpose of the review including the review of the landfill management plan k) Payment of administrative charges l) Payment of financial contributions	
Discharges of contaminants to air from land having been used for the disposal of waste materials in the past and which is no longer used for such disposal but which may continue to contain waste materials	38 Closed landfills	a) Discharge must not result in offensive or objectionable odour or dust or noxious or dangerous levels of gases at or beyond the boundary of the property	Permitted			
Discharges of contaminants to air from land used for the disposal of cleanfill	39 Cleanfills	a) Discharge must not result in offensive or objectionable odour or dust or in noxious levels of gases at or beyond the boundary of the property b) Discharger must adopt the best practicable option to prevent or minimise any adverse effects on the environment	Permitted			

Discharges from Waste Management Processes - Liquid Contaminants

(Discharge of contaminants to air arising from the use of premises for the storage, transfer, treatment or disposal of contaminants in water)

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from on-farm waste management	40	a) The liquid contaminants are generated only on the property	Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
processes for liquid contaminants, including but not limited to anaerobic-aerobic pond processes, overland flow or spray irrigation processes, holding sumps, or feed pad effluent management where the liquid contaminants arise from the use of land as production land, or from intensive farming on the property	On-farm liquid waste management processes	b) Discharge must not result in offensive or objectionable odour or in droplet deposition at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises c) Discharge from ponds constructed from 7 April 1997 ⁴¹ onwards and from zones of spray irrigation must be located at least 150 metres from any dwellinghouse or place of public assembly, unless prior approval has been obtained from any and all owners and occupiers of dwellinghouses less than 150 metres from ponds or zones of spray irrigation, or from any place of public assembly d) Discharge must not result in ponding of liquid contaminants 3 hours after disposal to land by overland flow or spray irrigation				
Discharges of contaminants to air from municipal sewage collection and treatment systems including all treatment and conveyance processes but excluding sludge management or removal processes	41 Sewage treatment	a) Discharge must not result in offensive or objectionable odour at or beyond the boundary of the property b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property including, but not limited to, any risk of fire or explosion	Permitted			

⁴¹ 7 April 1997 is the date the first Regional Air Quality Plan for Taranaki was made operative.

Discharges from land: site development, earthworks or the application of soil conditioners

Discharges from Site Development and Landscaping

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the development, maintenance, repair or demolition of industrial or trade premises, or residential or commercial sites, and which are not otherwise provided for by the rules in this Plan (excluding Rule 55). The activity includes site development, landscaping, weed and pest control and the installation, construction, maintenance or demolition on the premises, of roads, paved areas, buildings, structures or equipment, other than as provided for in Rules 43 or 44 of the Plan	42 Site development and landscaping	a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property, including but not limited to any risk of fire or explosion d) Discharger must adopt the best practicable option to prevent or minimise any adverse effects on the environment	Permitted			

Discharges from Earthworks

For information requirements refer to Section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from earthworks that exposes a contiguous area of soil of 4 hectares or less, at any one time, excluding production land	43 Small-scale earthworks	a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises b) Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the property c) Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the property, including but not limited to any risk of fire or explosion d) Discharger must adopt the best practicable option to prevent or minimise any adverse effects on the environment	Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from earthworks that exposes a contiguous area of soil of more than 4 hectares, at any one time, excluding production land	44 Large-scale earthworks	a) A dust control management plan shall be submitted to the Taranaki Regional Council	Controlled		a) Whether the dust control management plan submitted to the Council, and its contents, is appropriate to avoid or minimise discharges of contaminants to air, or effects, and any necessary modification to that plan b) Adverse effects on air quality c) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates d) Best practicable option to prevent or minimise any adverse effects on the environment and on such parts of the electricity network that lie within the boundary of the premises e) Monitoring and information requirements f) Duration of consent g) Review of conditions of consent and the timing and purpose of the review h) Payment of administrative charges and financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3, 6.1, 6.2, 6.3

Discharges from Fertiliser and other Soil Conditioners

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air arising incidentally from the discharge to land of materials that increase soil productivity (e.g. fertiliser and other soil conditioners)	45 Fertiliser and other soil conditioners	a) Discharger must adopt the best practicable option to avoid or minimise any adverse effects on the environment ⁴² b) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property	Permitted			

⁴² New Zealand Fertiliser Manufacturers' Research Association's Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) 2007 provides general guidance on the best practicable option for preventing or minimising adverse effects from the application of fertiliser and other soil conditioners.

Discharges from aquaculture or intensive farming processes

Discharges from Aquaculture Processes

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from aquaculture processes other than the discharge of agrichemicals into the air	46 Aquaculture processes	a) Discharge must not be noxious, dangerous, offensive or objectionable at or beyond the boundary of the property	Permitted			

Discharges from Intensive Pig Farming Processes

For information requirements refer to Section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from intensive pig farming when no more than 25 pigs are kept at any one time	47 Small intensive pig farming processes	a) Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the property	Permitted			
Discharges of contaminants to air from intensive pig farming when more than 25 pigs are kept at any one time, and where; the pig farm is an existing operation and a new consent is being applied for to replace or renew an existing consent	48 Existing intensive pig farming processes	a) Nature and scale of the effects of the activity are unchanged from that of the existing consent that is to be replaced or renewed	Restricted Discretionary	Applications will be publicly notified unless the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor If the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor, the Council will serve notice of applications on the owners and the occupiers of any off site dwellinghouse that is located within the buffer distances specified in column 3 of Table 1 in Appendix IV of the Plan at the time this Plan became operative, or the time the activity was first established ⁴³ , whichever was the earlier, who have not otherwise given written approval for the activity	a) Duration of consent b) Monitoring c) Effects relating to odour and dust and loss of amenity value of air d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Any matter contained in Appendix IV g) Review of the conditions of consent and the timing and purpose of the review h) Payment of administrative charges i) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 7.1, 7.2, 7.3

⁴³ 'Activity first established' means the date an air discharge consent was first issued by the Taranaki Regional Council.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from new intensive pig farming processes when more than 25 pigs are kept at any one time	49 New large intensive pig farming processes	a) Any discharge of contaminants into air shall be located in accordance with Table 1 – 'Recommended buffer distances' in Appendix IV	Restricted Discretionary		a) Duration of consent b) Monitoring c) Effects relating to odour and dust and loss of amenity value of air d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Any matter contained in Appendix IV g) Review of the conditions of consent and the timing and purpose of the review h) Payment of administrative charges i) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 7.1, 7.2, 7.3
Discharges of contaminants to air from intensive pig farming, where; the discharge is not listed in Rules 47, 48 or 49 or does not meet the conditions in Rule 47, Rule 48 or Rule 49	50 Intensive pig farming processes that do not comply with Rules 47, 48 or 49		Discretionary			1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 7.1, 7.2, 7.3

Discharges from Intensive Poultry Farming Processes

For information requirements refer to Section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from intensive poultry farming when no more than 30 000 poultry are kept at any one time	51 Small intensive poultry farming processes	a) Discharge must not result in offensive or objectionable odour, or dust at or beyond the boundary of the property	Permitted			
Discharges of contaminants to air from intensive poultry farming when more than 30 000 poultry are kept at any one time, and where; the poultry farm is an existing operation and a new consent is being applied for to replace or renew an existing consent	52 Existing intensive poultry farming processes	a) Nature and scale of the effects of the activity are unchanged from that of the existing consent that is to be replaced or renewed	Restricted Discretionary	Applications will be publicly notified unless the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor If the Taranaki Regional Council is satisfied that the adverse effects of the activity on the environment will not be more than minor, the Council will	a) Duration of consent b) Monitoring c) Effects relating to odour and dust and loss of amenity value of air d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Any matter contained in Appendix V g) Review of the conditions of consent and the timing and purpose of the review	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 7.1, 7.2, 7.3

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
				serve notice of applications on the owners and the occupiers of any off site dwellinghouse located within the buffer distances specified in column 1 of Table 1 in Appendix V of the Plan at the time this Plan became operative, or the time the activity was first established ⁴⁴ , whichever was the earlier, who have not otherwise given written approval for the activity	h) Payment of administrative charges i) Payment of financial contributions	
Discharges of contaminants to air from new intensive poultry farms where more than 30,000 poultry are kept at any one time	53 New large intensive poultry farming processes	a) Any discharge of contaminants into air shall be located in accordance with Table 1 – 'Recommended buffer distances' in Appendix V	Restricted Discretionary		a) Duration of consent b) Monitoring c) Effects relating to odour and dust and loss of amenity value of air d) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates e) Best practicable option to prevent or minimise any adverse effects on the environment f) Any matter contained in Appendix V g) Review of the conditions of consent and the timing and purpose of the review h) Payment of administrative charges i) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 7.1, 7.2, 7.3
Discharges of contaminants to air from intensive poultry farming, where; the discharge is not listed in Rules 51, 52 or 53 or does not meet the conditions in Rule 51, Rule 52 or Rule 53	54 Intensive poultry farming processes that do not comply with Rules 51, 52 or 53		Discretionary			1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 7.1, 7.2, 7.3

Note: Appendix IV contains information on good management practices for intensive pig farming to prevent or minimise off site effects from odour or dust and Appendix V contains information on good management practices for intensive poultry farming to prevent or minimise off site effects from odour or dust.

⁴⁴ 'Activity first established' means the date an air discharge consent was first issued by the Taranaki Regional Council.

Discharges from any industrial or trade premises, production land, waste management process, site development, earthworks, the application of soil conditioners, horticultural or intensive farming processes not provided for in Rules 1 to 54

Discharges to Air That Cannot Comply with Rules 1 to 54

For information requirements refer to Section 5

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Any discharge of contaminants to the air from any industrial or trade premises not listed in any other rule or where the activity is listed in a rule but the conditions for that rule cannot be met OR any discharge from production land, waste management processes, site development, earthworks, the application of soil conditioners, aquaculture or intensive farming processes where the activity is listed in a rule but the conditions for that rule cannot be met.	55 Discharges to air that cannot comply with Rules 1 to 54		Discretionary			1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 4.1, 4.2, 4.3, 5.1, 5.2, 5.3, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3

Discharge of agrichemicals into the air

Discharges from the Application of Agrichemicals

For information requirements refer to Section 5

(For the purpose of clarification, note that Rules 56 to 58 do not apply to the application of vertebrate toxic agents to land by aerial spreading or the application of agrichemicals direct to water for the purposes of controlling aquatic life – refer to Rule 32 of the Regional Fresh Water for Taranaki (2001) for the Rule that applies to the application of agrichemicals direct to water for the purposes of controlling aquatic life).

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the spraying of agrichemicals on production land ⁴⁵	56 Discharge of agrichemicals - production land	a) The discharge shall be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the agrichemical manufacturer's instructions b) There shall be no adverse effects from the discharge or drift of any agrichemical beyond the boundary of the subject property c) The discharge shall be undertaken in accordance with all mandatory requirements set out in Sections 2, 5 and 6 and relevant appendices of the New Zealand Standard for Management of Agrichemicals (NZS 8409:2004) ⁴⁶ d) Discharge must not result in the following effects at or beyond the boundary of the target property and on such parts of the electricity transmission network that lie within the boundary of the premises: <ul style="list-style-type: none"> • Offensive or objectionable odour or dust; • Ambient concentrations of noxious or dangerous contaminants such that any person, ecosystem or structure is or is likely to be adversely affected including any such adverse effects on sensitive areas e) The discharge shall not cause or be likely to cause an adverse effect from deposition into a river, lake, wetland or other surface water body, including any drain which enters into a surface water body f) The application of agrichemicals shall only be carried out by or under the direct supervision of an appropriately qualified person deemed by the Council as having such qualifications. For the purpose of this rule, applicators of	Permitted			

⁴⁵ **Note:** Rule 57 of the Plan applies to the discharge of contaminants to air from the spraying of agrichemicals on public amenity areas or roadside verges.

⁴⁶ In relation to condition (c) – Section 2 of the Code deals with the management of agrichemicals (including risk management, user responsibility and identification of most suitable agrichemicals), Section 5 deals with the use of agrichemicals (including handling, mixing, and drift hazard) and Section 6 deals with the disposal of agrichemicals and their containers.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>agrichemicals shall hold the following qualifications:</p> <p>(i) any ground applicator shall hold, as a minimum, a current GROWSAFE® Introductory Certificate or be under the direct supervision of a person holding the GROWSAFE® Applied Certificate or a GROWSAFE® Registered Chemical Applicator's Certificate; or</p> <p>(ii) any commercial spray operator shall hold, as a minimum, either:</p> <p>(1) A GROWSAFE® Registered Chemical Applicator's Certificate; or</p> <p>(2) A GROWSAFE® Introductory Certificate and be under the direct supervision of a person holding a GROWSAFE® Registered Chemical Applicator's Certificate; or</p> <p>(iii) any pilot undertaking aerial application shall hold as a minimum, a current Pilot Chemical Rating Certificate issued by Civil Aviation Authority (CAA); or</p> <p>(iv) shall hold a qualification that meets the requirements of Appendix VI</p> <p>g) The discharge shall not adversely affect the suitability of water for water supply purposes</p> <p>h) Landowner or occupier must give verbal or written notice to all occupied dwellinghouses, owners or occupiers of properties, sensitive crops and farming systems and places of public assembly located within 30 metres of the area to be sprayed (if spraying is by ground application) or within 100 metres of the area to be sprayed (if spraying is by aerial application). Notification is to take place EITHER as a general notice before the beginning of a particular spray season OR not less than 2 hours and not more than 4 weeks prior to spraying and is to state:</p> <ul style="list-style-type: none"> • the areas to be sprayed • the dates and times of spraying or the factors that will determine when spraying occurs (to the fullest extent possible) • the agrichemical(s) to be used 				

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<ul style="list-style-type: none"> the measures to be adopted by the discharger to prevent or minimise spray drift from the target area. <p>If general notice is given before the beginning of a particular spray season, then such notice shall include an opportunity for those receiving the notice to request and be given further notice of individual applications prior to spraying being carried out.</p> <p>Notification is not required if owners or occupiers of the relevant occupied dwellinghouse, properties or places of public assembly agree in writing that notification is not required or if agrichemicals are applied with hand operated and manually pressurised and pumped spray equipment</p> <p>i) Discharger must keep records of the name of user, agrichemical equipment used and methods of use, including equipment applied, the volume and concentration of the agrichemical used, the locality, area and date of application, the location and nature of the sensitive area, weather conditions, including wind speed and direction and any abnormal situation or incident and supply these to the Taranaki Regional Council on request</p> <p>j) Discharger must notify the Taranaki Regional Council as soon as practicable in the event of accidental or unintended discharge of agrichemicals to land or water</p>				
Discharges of contaminants to air from the spraying of agrichemicals on public amenity areas or roadside or railside verges	57 Discharge of agrichemicals - public amenity areas or roadside railside verges	<p>a) The discharge shall be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the agrichemical manufacturer's instructions</p> <p>b) The discharge shall be undertaken in accordance with all mandatory requirements set out in Section 2, 5 and 6 and relevant appendices of the New Zealand Standard for the Management of Agrichemicals (NZS 8409:2004)⁴⁷</p>	Permitted			

⁴⁷ In relation to condition (b) – Section 2 of the Code deals with the management of agrichemicals (including risk management, user responsibility and identification of most suitable agrichemicals), Section 5 deals with the use of agrichemicals (including handling, mixing, and drift hazard) and Section 6 deals with the disposal of agrichemicals and their containers.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>c) Discharge must not result in the following effects at or beyond the boundary of the target property and on such parts of the electricity transmission network that lie within the boundary of the premises:</p> <ul style="list-style-type: none"> • Offensive or objectionable odour or dust; • Ambient concentrations of noxious or dangerous contaminants such that any person, ecosystem or structure is or is likely to be adversely affected including any such adverse effects on sensitive areas <p>d) There shall be no adverse effects from the discharge or drift of any agrichemical beyond the boundary of the subject property</p> <p>e) The discharge shall not cause or be likely to cause an adverse effect from deposition into a river, lake, wetland or other surface water body, including any drain which discharges to a surface waterbody</p> <p>f) The application of agrichemicals shall only be carried out by or under the direct supervision of an appropriately qualified person deemed by the Council as having such qualifications. For the purpose of this rule, applicators of agrichemicals shall hold the following qualifications:</p> <p>(i) any commercial spray operator shall hold, as a minimum, either:</p> <ol style="list-style-type: none"> (1) a GROWSAFE® Registered Chemical Applicator's Certificate; or (2) a GROWSAFE® Introductory Certificate and be under the direct supervision of a person holding a GROWSAFE® Registered Chemical Applicator's Certificate; or <p>(ii) any pilot undertaking aerial application shall hold as a minimum, a current Pilot Chemical Rating Certificate issued by Civil Aviation Authority (CAA); or</p> <p>(iii) shall hold a qualification that meets the requirements of Appendix VI.</p> <p>g) The discharge shall not adversely affect the suitability of water for water supply purposes</p>				

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>h) The landowner, manager or contractor must give public notice of the intention to spray prior to carrying out the spraying. Public notice is to take place not less than 4 weeks and not more than 6 months prior to spraying and is to state:</p> <ul style="list-style-type: none"> - the areas to be sprayed - the dates and times of spraying (to the fullest extent possible) - the agrichemical(s) to be used - the measures to be adopted by the discharger to prevent or minimise spray drift from the target area <p>i) Except for spraying along the verges of public roads, the discharger must place signs clearly visible to the public at all points where the public commonly have entry to the area being sprayed. Signs must include the words 'CAUTION – SPRAYED AREA', and remain in place until the re-entry period for that particular chemical has expired</p> <p>j) Where spraying occurs along the verges of public roads, vehicles associated with the spraying must display signs (front and back) stating 'CAUTION – SPRAYING IN PROGRESS'</p> <p>k) Discharger must keep records of the name of user, agrichemical equipment used and methods of use, including equipment calibration details, type of each agrichemical applied, the volume and concentration of the agrichemical used, the locality, area and date of application, the location and nature of any sensitive area, weather conditions, including wind speed and direction, and any abnormal situation or incident and supply these to the Taranaki Regional Council on request</p> <p>l) Discharger must notify the Taranaki Regional Council as soon as practicable in the event of accidental or unintended discharge of agrichemicals to land or water</p>				
Discharges of contaminants to air from the spraying of agrichemicals on production land or public amenity areas or roadside or			Restricted Discretionary		<p>a) Duration of consent</p> <p>b) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates</p>	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7,

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
railside verges where the discharge does not satisfy one or more of the conditions in Rule 56 or Rule 57					<ul style="list-style-type: none"> c) Best practicable option to prevent or minimise off site or non-target effects d) Requirement to notify prior to spraying e) Allowable meteorological conditions when spraying f) Type and performance of spray equipment g) Spray pressures h) Height of discharge of aerial spraying i) Training completed by applicant and applicant's staff j) Drift avoidance measures k) Specification of agrichemicals that may be discharged l) Effects relating to loss of amenity value of air, chronic or acute human health effects, odour, annoyance or offensiveness and effects on ecosystems, plants and animals, effects on areas identified in Policy 2.3 m) Record keeping n) Monitoring o) Review of the conditions of consent and the timing and purpose of the review p) Payment of administrative charges q) Payment of financial contributions 	3.1, 3.2, 8.1, 8.2, 8.3

Note: Appendix VII contains information on good agrichemical spray management practices that provide general guidance on the best practicable option for preventing or minimising adverse effects on the environment from the spraying of agrichemicals.

Burning

Discharges from the Burning of Vegetation on Production Land Or on Forested Land Section 5

For information requirements refer to

Advisory note: Rules 59 and 60 do not apply to the burning of vegetation on production land associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The regulations prevail over these rules in relation to plantation forestry activities.⁴⁸

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the combustion of vegetation on production land or on forested land. Note: This rule excludes discharges from the burning of vegetation on Production Land or on Forested Land regulated by the NES-PF	59 Burning of vegetation on production land or on forested land	a) Discharger must adopt the best practicable option to avoid or minimise any adverse effects of the discharge of smoke beyond the boundary of the property b) Discharge must not give rise to any of the following effects, at or beyond the boundary of the property and on such parts of the electricity transmission network that lie within the boundary of the premises: - an ambient concentration of hazardous, noxious, dangerous, offensive or objectionable contaminants such that any person, ecosystem or structure is or is likely to be adversely affected; - the release of contaminants giving rise to objectionable or offensive odours in the vicinity; - the restriction of visibility on any public amenity areas, places of public assembly or national park or any place, area or feature of special significance to tangata whenua; - disruption to traffic movements on land, sea or air; - the soiling of property	Permitted			
Discharges of contaminants to air from the combustion of vegetation on production land or on forested land where the discharge does not satisfy one or more of the conditions in Rule 59 Note: This rule excludes discharges from the burning of vegetation on	60 Burning of vegetation that does not comply with Rule 59		Controlled		a) Duration of consent b) Visual effects, loss of amenity value of air, chronic or acute human or animal health effects, odour, damage to or soiling of property, effects on traffic movements on land, sea or air and effects on areas identified in Policy 2.3 c) Review of the conditions of consent and the timing and purpose of the review	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 9.1, 9.2

⁴⁸ The NES-PF regulation prevailed over by the Plan rules identified above is Regulation 95.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Production Land or on Forested Land regulated by the NES-PF.					d) Payment of administrative charges e) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates f) Best practicable option to prevent or minimise adverse effects beyond the boundary g) Payment of financial contributions	

Note: Appendix IX contains information on good management practices to prevent or minimise the discharge of smoke from burning vegetation.

Discharges from the Burning of Tyres or Untreated Used Oil

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the combustion of tyres or untreated used oil (other than as a result of fire training activities) ⁴⁹ , anywhere within the region, where the activity does not occur in a purpose-built incinerator	61 Burning of tyres or untreated used oil		Prohibited			

Note: If oil or tyres are to be combusted a consent must be obtained from the Council. The combustion of such must occur in a purpose built incinerator that is designed and operated to minimise emissions of dioxins and other toxic processes. The discharge must also be directed to the open air by a stack or chimney. Note: emissions from motor vehicles are not prohibited by this Rule⁵⁰.

Discharges from Fire Training Activities or Fire Safety Research or Education Purposes

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from fire training activities or fire safety research or education purposes by or under the supervision of the New Zealand Fire Service Commission or a member of a recognised legitimate fire fighting organisation or by any persons employed for (amongst other things) the purposes of fire training	62 Fire training activities	a) Discharger must adopt the best practicable option to prevent or minimise any adverse effects of the discharge of smoke beyond the boundary of the property b) Discharge must not give rise to any of the following effects, at or beyond the boundary of the property: <ul style="list-style-type: none"> - an ambient concentration of hazardous, noxious, dangerous, offensive or objectionable contaminants such that any person, ecosystem or structure is or is likely to be adversely affected; - the release of contaminants giving rise to objectionable or offensive odours in the vicinity; - the restriction of visibility on any public amenity areas, places of public assembly or national park or any place, area or 	Permitted			

⁴⁹Rules 62 and 63 apply to fire training activities.

⁵⁰ Refer to Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		feature of special significance to tangata whenua; - disruption to traffic movements on land, sea or air; - the soiling of property c) Discharger must register with the Council d) Prior to undertaking the activity the discharger must notify the Council no less than 24 hours and no more than 3 months before the activity is undertaken				
Discharges of contaminants to air from fire training activities or fire safety research or education purposes by or under the supervision of the New Zealand Fire Service Commission or a member of a recognised legitimate fire fighting organisation or by any persons employed for (amongst other things) the purpose of fire fighting where the discharge does not satisfy one or more of the conditions in Rule 62	63 Fire training activities that do not comply with Rule 62		Controlled		a) Duration of consent b) Visual effects, loss of amenity value of air, chronic or acute human or animal health effects, odour, damage to or soiling of property, effects on traffic movements on land, sea or air and effects on areas identified in Policy 2.3 c) Review of the conditions of consent and the timing and purpose of the review d) Payment of administrative charges e) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates f) Best practicable option to prevent or minimise adverse effects beyond the boundary g) Payment of financial contributions	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 10.1, 10.2, 10.3

5 Information to be submitted with an application for a discharge permit

Section 88 of the Act requires each application for a discharge permit to:

- a) be made in the prescribed form and manner; and
- b) include an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

In summary, the key elements that must be included with an application are:

- i) a description of the activity for which consent is sought, and its location;
- ii) an assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated;
- iii) any information required to be included in the application by this Plan or by regulations; and
- iv) a statement specifying all other resource consents that the applicant may require from any consent authority in respect of the activity to which the application relates, and whether the applicant has applied for such consents.

The Taranaki Regional Council requires the information below to be included with an application for a discharge permit, along with an assessment of effects on the environment, detailed requirements for which are listed in Section 5.2 of this Plan.

5.1 Specific information for all applications

1. Full name, postal address, home and business telephone numbers of the person or organisation to whom the discharge permit is to be issued.
2. Name and telephone number of the contact person who is fully conversant with all aspects of the application.
3. Name, address and telephone number of the consultant engaged (if applicable).
4. Name and address for service of documents (if different from above).
5. Name and telephone number of occupier or lessee of the affected site.
6. Location and address of the affected site (as near as possible).

7. Relevant territorial local authority (New Plymouth District Council, Stratford District Council or South Taranaki District Council).
8. List of all other resource consents required, and reference numbers of any previous resource consents for this application from all consent authorities.
9. List of names and addresses of property owners or occupiers likely to be directly affected by this application.
10. Content of discharge (name contaminants).
11. Type of operation causing discharge.
12. Purpose for discharge.
13. Maximum daily volume and maximum discharge rate.
14. Number of hours per day that discharge will occur.
15. Full description of any seasonal or time-related variation in discharge strengths and volumes expected (if applicable).
16. Site plan and address of discharge source, for inspection purposes.
17. Legal description of land at discharge source, for inspection purposes.
18. Location of the discharge point (GPS).
19. If discharge point is different from place of treatment/usage, include details with supporting plans of each site.
20. Full description of works to be constructed, including process or department from which discharge originates, type of treatment facility and the quality of the proposed discharge (include design specifications).

5.2 Assessment of environmental effects

An assessment of effects on the environment is to be included with an application for a resource consent. The detail in the assessment of effects must be in such detail as corresponds with the scale and significance of the actual or potential effects the activity may have on the environment and must be prepared in accordance with the Fourth Schedule of the Act.

The assessment of effects for a controlled activity, or for a restricted discretionary activity need address only those matters over which Taranaki Regional Council has retained control or reserved discretion (as the

Regional Air Quality Plan for Taranaki

case may be). Those matters are specified in the relevant rules of this Plan.

Applicants should note that in considering any application for a resource consent and any submissions received, the Taranaki Regional Council is required to have regard to any objectives, policies, rules and other provisions of this Plan (Section 104 of the Act). Applicants should therefore take particular note of the objectives, policies and rules contained in this Plan, in addition to the matters set out in the Fourth Schedule to the Act, when preparing an assessment of effects. Consideration of all resource consent applications is subject to Part II of the Act. Accordingly where any Part II matters are relevant they should also be addressed.

The extent to which all of these matters need to be addressed will depend on the nature and scale of the proposed activity. It is the responsibility of the applicant to provide sufficient information to enable the consent authority to assess any such application. If the applicant is uncertain as to the amount of information required or where such information may be obtained, it is suggested that the applicant contact the Consents Section of the Taranaki Regional Council for pre-application discussions.

- ii) relating to the ways in which any adverse effects are to be mitigated;
 - iii) regarding the identification of other parties who may be affected; or
 - iv) regarding other parties who have been consulted or their views, or both.
- f) there is uncertainty regarding the need or purpose of the consent;
 - g) there are reasonable grounds to suggest that alternative locations or methods of undertaking the activity may be both feasible and would have less adverse effect on the environment than the proposed option;
 - h) arising from a significant issue raised by submitters as a result of the pre-hearing hearing process; or
 - i) a report is required to be commissioned to fully assess the effects of the activity or to audit any information provided by the applicant.

5.3 Requirement for further information

Notwithstanding the above, the Council may, at any reasonable time, require the applicant to provide further information in respect of the activity for which the application for a discharge permit is made.

The following list gives an indication of some of the circumstances in which the powers under Section 92 (that is, where further information may be required) may be used:

- a) the standard application forms have not been properly completed;
- b) the application does not adequately describe the nature or location of the proposal;
- c) the application does not specify, or inaccurately specifies, other consents that may be needed to undertake the activity;
- d) in the case of any controlled or restricted discretionary activity, when the application and any accompanying information is not sufficient for the Council to be able to assess the matters to which it has restricted its discretion over or in respect of which it has reserved control (as the case may be);
- e) in the case of any discretionary or non-complying activity, the application provides insufficient information:
 - i) to enable the actual or potential adverse effects of the activity to be identified;

6 Financial contributions

6.1 Introduction

Where the Taranaki Regional Council grants a discharge to air permit, it may impose a condition requiring that a financial contribution be made for the purposes specified in a regional plan.

The term 'financial contribution' is defined in section 108(9) of the Act to mean:

... a contribution of:

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

The Taranaki Regional Council may also impose a condition requiring that services or works, including (but without limitation) the protection, planting, or replanting of any tree or other vegetation or the protection, restoration, or enhancement of any natural or physical resource, be provided.

Financial contributions may be required for various purposes, including for the purposes of ensuring positive effects on the environment to offset any adverse effects and to mitigate adverse effects on the environment of use and development (environmental compensation) provided these purposes are required to be specified in the plan. The level of the contribution is to be determined in the manner described in the plan.

The provisions which follow reflect the requirements of the Act and set out:

- the circumstances when such contributions may be imposed;
- the purposes for which such contributions may be required and used;
- the manner in which the amount of the contribution will be determined;
- matters which the Taranaki Regional Council will consider when deciding whether to impose a financial contribution, the type or types of contribution and the amount of any contribution.

6.2 Circumstances, purpose and amount

Financial contributions may be imposed on any discharge to air permit for a controlled, restricted discretionary or discretionary activity in the circumstances and for the purposes set out below. The manner in which the amount of contribution will be determined is also set out. Contributions of money to the Taranaki Regional Council must be used for the purpose for which the contribution was taken. Assessment of whether a contribution is required, the form of any contribution and its actual value, will be in accordance with the matters set out in Section 6.3.

- a) **Protection, maintenance, restoration or enhancement of public amenities**

Circumstances: Where the discharge for which consent is granted is likely to cause or contribute to adverse effects on public amenities.

Purposes: To mitigate or offset such effects by protecting, maintaining, restoring or enhancing public amenities, including the maintenance or provision of alternative sites that serve the same general purpose.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 6.3 but will be an amount that will enhance public amenities to a reasonably equivalent level or standard to those which will be lost.

- b) **Protection, maintenance or restoration of heritage values and of places, areas or features of importance to tangata whenua**

Circumstances: Where the discharge for which consent is granted will adversely affect places, areas, buildings or features of special historical, archaeological, architectural, scientific, ecological or intrinsic value (including trees or areas of vegetation with such values) and places, areas or features of importance to tangata whenua for spiritual, cultural or historical reasons.

Purposes: To avoid, remedy, mitigate or offset such effects by protecting, maintaining or restoring the place, area, building or feature and/or to offset such effects by contributing to protection, maintenance or restoration of some alternative place, area, building or feature elsewhere in the same general locality.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in Section 6.3 but will be an amount that is reasonably required to avoid, mitigate or reasonably compensate for such effects.

6.3 Matters to be considered

In deciding whether to impose financial contributions, the types of contribution and their value, the Taranaki Regional Council will have particular regard to the following matters.

- a) The purpose of the financial contribution is to avoid, remedy, mitigate offset or compensate the community or environment for adverse effects caused or contributed to by the activity and not otherwise avoided, remedied or mitigated by the consent holder.
- b) Whether adverse effects are likely to occur notwithstanding any avoidance, remedy or mitigation undertaken.
- c) The adverse effects for which a contribution is imposed cannot be avoided, remedied or mitigated directly by project design or adoption of the best practicable option for preventing or minimising the effects of the discharge.
- d) The adverse effects are not of such significance that to allow the activity (with or without a financial contribution) would be contrary to the purpose of the Act.
- e) Granting a discharge permit and requiring a financial contribution would be more effective in achieving the purpose of the Act (including recognition of the economic and social benefits of the activity) and the objectives and policies of this plan than declining consent or granting a consent without a condition requiring a financial contribution.
- f) In deciding the actual value of the financial contribution required, the Taranaki Regional Council will have particular regard to:
 - (i) the significance of the adverse effects attributable to the activity;
 - (ii) where such adverse effects are contributed to by other activities, the extent to which those adverse effects can be reasonably attributed to the activity for which consent is granted; and
 - (iii) the extent to which any positive effects of the activity offset any adverse effects.
- g) Financial contributions shall relate to the effects of the activity for which consent is granted and be in reasonable proportion to the significance of any adverse effects.
- h) Financial contributions may not be appropriate in every case, even when there are adverse effects.
- i) The actual amount of particular contributions will vary depending on the circumstances and the application of the guidelines and criteria outlined above.
- j) The Taranaki Regional Council does not intend that adverse environmental effects must be fully mitigated or fully compensated in every case by way of financial contributions.
- k) Any financial contribution required shall be reasonable, consistent with the purpose of the Act and reasonably relate to effects of the activity for which consent has been granted.

7 Administrative procedures

7.1 Introduction

The Resource Management Act provides that regional plans may state:

- the processes to be used to deal with issues which cross local authority boundaries and issues between territorial authorities and between regions (Section 67(2)(f));
- the procedures to be used to monitor the efficiency and effectiveness of the plan's policies and methods (Section 67(2)(e)).

These matters are covered in this section of the plan. The first matter, that of processes to deal with issues which cross local authority boundaries and issues between territorial authorities, is part of the broader issue of achieving integrated air quality management.

7.2 Integrated management and cross-boundary issues

With respect to air quality management, integrated management involves consideration of:

- the effects of the discharge of contaminants to air or of measures to avoid, remedy or mitigate these effects, on **other natural and physical resources** or on other parts of the **environment**, recognising that such effects may occur in different areas or at different times;
- the functions of **other agencies** under the Resource Management Act or other legislation which may promote the sustainable management of natural and physical resources and help achieve the air quality objectives for the region in an efficient and effective way;
- the **social and economic objectives** and interests of the community, recognising that air quality management must be carried out having regard to social, economic and cultural well-being.

Cross-boundary issues may occur when environmental effects on one resource use are felt in another part of the environment (for example, water quality affected as a result of the discharge of contaminants to air). Cross-boundary issues may also exist in relation to air, in that air is a free medium which is not contained within political or administrative boundaries.

Integrated management aims to minimise the effects of cross-boundary issues and promote complementary, efficient and effective management of all natural and physical resources.

7.2.1 Management roles and responsibilities

Integrated management will assist the Taranaki Regional Council to co-ordinate the management of air quality and the effects of the discharge of contaminants to air with:

- the Ministry for the Environment over air quality issues which are best dealt with or co-ordinated at a national level;
- adjoining regional councils and territorial authorities within the Taranaki region concerning Taranaki Regional Council's responsibilities under the Act for the control of the discharge of contaminants to air;
- territorial authorities concerning their responsibilities under the Act for the control of the effects of the use of land and the functions and responsibilities of territorial authorities and public health authorities under other Acts.

7.2.2 The role of the Taranaki Regional Council

The Taranaki Regional Council has prepared this plan in accordance with its functions and responsibilities under section 30 of the Resource Management Act 1991.

These functions and responsibilities include:

- the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the natural and physical resources of the region (section 30(1)(a));
- the control of discharges of contaminants into air (section 30(1)(f)); and
- any other functions specified in the Act (section 30(1)(h)).

Section 15(1) of the Act, dealing with the discharge of contaminants into the environment, states that no person may discharge a contaminant from any industrial or trade premises into air unless the discharge is expressly allowed by a rule in a regional plan, a resource consent or regulations. Section 15(2) of the Act states that no person may discharge any contaminant into the air from any place or other source in a manner that contravenes a rule in a regional plan, unless expressly allowed by a resource consent or regulations or Section 20A of the Act.

Resource consents for such discharges are to be obtained from regional councils. The Taranaki Regional Council decided to prepare this regional air quality plan to help it carry out its functions under the Act with respect to the discharge of contaminants to air, in order to achieve the purpose of the Act. Ten air quality management issues of significance to Taranaki have been identified in the Plan. These are stated and described in Section 3.0 of the Plan. Objectives, policies and methods of implementation have been prepared to address those issues. These are also set out in Section 3.0 of the Plan. Implementation of the objectives and policies of the Plan will involve integrated management of different functions and responsibilities as noted above. Under this Plan, the Taranaki Regional Council has assumed the primary role and responsibility for the following:

- control of the discharge of contaminants to air (including odour) from all industrial and trade premises within Taranaki (excluding waste management processes)⁵¹;
- control of the discharge of contaminants to air from industrial or trade premises or other places or sources: waste management processes;
- control of the discharges of contaminants (including dust and odour) to air from site development, earthworks and the application of soil conditioners;
- control of the discharge of contaminants to air (including odour) from aquaculture and intensive farming processes;
- control of the discharge of agrichemicals into the air from production land and from public amenity areas;
- control of the burning of vegetation on production or forested land and burning of tyres and untreated used oil;
- fire training activities or fire safety research or education purposes; and
- responding to complaints relating to discharges of contaminants to air from industrial and trade premises, and other discharges controlled under the Plan.

The extent of these controls are set out in the regional rules contained in Section 4.0 of the Plan. District plans prepared by territorial authorities may also contain provisions relating to the effects of the use of land, which will assist in the implementation of the objectives and policies in the Regional Air Quality Plan (refer to Section 7.2.3 below). However, these provisions must not be inconsistent with the Regional Air Quality Plan.

The Taranaki Regional Council will also monitor and gather information in relation to discharges of contaminants to air and the state of the air resource in

Taranaki and will provide information, advice and guidance to the community on air quality issues. These methods are set out in Section 3.0 of the Plan. While the Taranaki Regional Council has primary responsibility under the Resource Management Act for the control of the discharge of contaminants to air through regional rules and resource consents, other methods in place of or in combination with regional rules and consents may better achieve the air quality objectives for the region.

Issues concerning greenhouse gases and climate change and standards for control of highly mobile sources such as motor vehicle emissions are more efficiently and effectively addressed by a co-ordinated strategy at the national level. A number of initiatives may also be taken by territorial authorities at the local level to achieve the air quality objectives in this Plan.

In addition, the Taranaki Regional Council can enter into agreements to transfer any of its functions, powers, or duties, to other public authorities. Transfer of functions, powers or duties can assist in the integrated management of resources especially where there is an appropriate community of interest relating to the exercise of the function or where there will be increased efficiencies from the transfer because of technical knowledge or expertise or because the function being transferred is closely related to other responsibilities of the authority to which the function is to be transferred.

7.2.3 The role of territorial authorities

Territorial authorities are able to contribute to the air quality objectives set out in this Plan through provisions in district plans which control the effects of the use of land. Some discharges to air, particularly odours or smoke, may result in adverse effects, even if controlled to the best practicable levels, if the adjacent land use is sensitive to the discharge. Land use controls through district plans and resource consents can assist in avoiding or mitigating adverse effects of the discharge of contaminants to air by applying controls on the siting of land use activities or applying separation distances or buffer zones around activities discharging to air.

A further means of achieving the air quality objectives of this Plan is for territorial authorities to continue to apply the nuisance provisions of the Health Act 1956 to control minor nuisance or neighbour-to-neighbour effects. Under these provisions, territorial authorities would continue to deal with those minor discharges to air not covered by controls in this Plan, for example, discharges to air from home heating or other domestic sources.

PROCEDURES

The Taranaki Regional Council will use the following procedures in relation to integrated management and cross-boundary issues:

⁵¹ Note: Rules 1 to 7 provide for discharges to air whether from industrial or trade premises or production land.

1. **Having regard** under Section 66 of the Act to the **policy statements and plans** (including resource management plans, strategic plans and annual plans) of territorial authorities and neighbouring regional councils and the extent to which this Plan needs to be consistent with those documents.
2. **Liaising**, as appropriate, with the **Ministry for the Environment** over air quality issues which are best dealt with or co-ordinated at the national level.
3. **Liaising**, as appropriate, with the **Waikato Regional Council** and the **Manawatu-Wanganui Regional Council** on matters of air management that are relevant to more than one region.
4. **Liaising**, as appropriate, with the **New Plymouth District Council**, **Stratford District Council** and **South Taranaki District Council** on cross-boundary issues affecting air quality management.
5. **Encouraging** the **New Plymouth District Council**, **Stratford District Council** and **South Taranaki District Council** to continue to apply the provisions of the **Health Act 1956** to control minor nuisance effects not addressed by controls in this Plan, particularly those effects associated with spray drift of agrichemicals from residential and other properties not used as production land, and the nuisance effects associated with the discharge to air from domestic sources.
6. Liaising, as appropriate, with the New Plymouth District Council, Stratford District Council, and South Taranaki District Council regarding their functions and responsibilities under the **Forest and Rural Fires Act 1977**.
7. **Liaising**, as appropriate, with other **public health authorities** regarding public health issues that arise in carrying out Taranaki Regional Council's functions under the Act.
8. **Advocating** to the New Plymouth District Council, Stratford District Council and South Taranaki District Council that, where appropriate, provisions be included in **district plans** to avoid, remedy or mitigate the effects on the environment of the discharge of contaminants to air.
9. **Considering** the **transfer of functions** which would be more efficiently, effectively and appropriately carried out by other agencies. Transfers of functions will be considered on the basis of the requirements of Section 33 of the Act including where both authorities agree that the authority to which the transfer is made represents the appropriate community of interest, and where the transfer is desirable on the grounds of efficiency and technical or special capability or expertise.
10. **Preparing other regional plans** that are complementary to and consistent with the Regional Air Quality Plan.

11. **Considering** the effects on other natural and physical resources in making decisions with respect to air quality management and resource consents to discharge contaminants to air.
12. **Making submissions** in respect of documents prepared by other authorities.

7.3 Monitoring

The Taranaki Regional Council is required by Section 35 of the Act to undertake monitoring and keep records. The Taranaki Regional Council must monitor:

- the state of the regional environment (to the extent necessary to carry out the Council's functions under the Act);
- the efficiency and effectiveness of policies, rules, or other methods in this Plan;
- the exercise of any transferred functions, powers or duties; and
- the exercise of discharge to air permits;

and take any action that is appropriate to the circumstances.

PROCEDURES

The monitoring of the efficiency and effectiveness of this Plan's policies and methods will be carried out in conjunction with monitoring of the Regional Policy Statement for Taranaki and other regional plans. The following methods will be used to monitor the effectiveness of this Plan:

1. Establish and maintain a regional ambient air quality monitoring programme appropriate to the needs of the region.
2. **Establish and maintain** a programme that is appropriate to the needs of the region, for monitoring **meteorological conditions**.
3. **Collect**, within 3 years of this Plan becoming operative, **information** on the **nature and extent of discharges** of contaminants to air in Taranaki including the volume and type of discharge from industrial, agricultural, domestic and mobile sources, and continue to gather such information to determine changes in these emissions over time.
4. **Monitor** the **cumulative effects** of contaminants discharged to air, as appropriate to the needs of the region, by:
 - undertaking a **baseline study** of the meteorological state of the atmosphere in Taranaki as it affects dispersion and removal of airborne contaminants;
 - undertaking ongoing **monitoring of ambient air quality** within the Taranaki region;
 - undertaking ongoing assessments of regional air quality management by collating available information on the nature and volume of discharges to air authorised by **resource**

- **consents**, technological advances and effects on ambient air quality;
 - undertaking ongoing assessments of regional air quality by collating information on the nature and volume of discharges to air from **sources not authorised by resource consents** including agricultural, and domestic sources and vehicle emissions;
 - maintaining a **register of complaints** which records the number, frequency, type and nature of discharges to air reported to the Council;
 - undertaking **research** on air quality issues as and when appropriate;
 - seeking **public input** and **comment** on air quality issues through surveys or other means.
5. **Consider** the results of monitoring subsequent to **implementation** of a **regional monitoring strategy**. The strategy will contain methods to monitor the overall state of the environment of the Taranaki region.
 6. **Carry out compliance monitoring** in relation to individual discharge permits. Where appropriate to the nature and scale of effect of an activity, individual consent monitoring programmes will be designed and implemented in conjunction with the consent holder.
 7. Continue **recording** and **evaluating unauthorised discharges** to air along with other unauthorised activities in the region.
 8. Use, when appropriate, monitoring and research programmes carried out by other agencies.
 9. Use, when appropriate, **information** (including requests and complaints) from iwi, territorial authorities, other agencies and the public.
 10. **Keep records** of the numbers of consent applications made for each type of activity regulated by the Plan.

regional monitoring or research programmes show that a review would otherwise be appropriate.

3. A **full review** (within the meaning of Section 79 of the Act) will be commenced no later than 10 years after the date upon which this Plan becomes operative.

The procedures to be used to review the Plan will be determined at that time, and will include (as part of a review programme):

- (i) an assessment of the state of those matters that will be the subject of monitoring in the Regional Monitoring Strategy, and comparison with the relevant objectives of the Plan;
- (ii) internal assessment by officers of the Taranaki Regional Council regarding the efficiency and effectiveness of policies and methods of implementation in achieving the objectives of the Plan;
- (iii) internal assessment by officers of the Taranaki Regional Council regarding the usefulness of the matters required to be included in an application for a discharge permit and of administrative procedures;
- (iv) formal and informal liaison with public authorities and key interest groups regarding the effectiveness of the Plan; and
- (v) analysis and appropriate incorporation of public submissions regarding proposed changes to the plan, or re-notification of the Plan, as required by Section 79 of the Act.

7.4 Review

The Act requires that a full review of this plan commences no later than 10 years from the date upon which it becomes operative. That review will include a review of the plan and all changes to the Plan.

PROCEDURES

The following procedures will be used to review this Plan:

1. A **review** of the relevant parts or provisions of the Plan may be carried out in response to any changes in the **Regional Policy Statement** for Taranaki. This review will be to the extent appropriate to determine and make changes to the Plan so that it is not inconsistent with that policy statement.
2. A **review** of the relevant parts or provisions of the Plan may be carried out if a **new issue** arises, or if

**Appendix I: Abrasive Blasting Rules that apply to
Electricity Transmission Activities regulated by the
Resource Management (National Environmental Standards
for Electricity Transmission Activities) Regulations 2009**

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Resource Management (National Environmental Standards for Electricity Transmissions Activities) Regulations 2009

Transmission line support structures: Discharges from blasting and applying protective coatings

Regulation 25 Permitted activities

- (1) Blasting a transmission line support structure of an existing transmission line, or preparing the structure to receive protective coatings, is a permitted activity if all of the applicable conditions in subclauses (3) to (9) are complied with.
- (2) Applying protective coatings to a transmission line support structure of an existing transmission line is a permitted activity if the condition in subclause (10) is complied with.

Conditions

- (3) Blasting must not be done within 50 metres of a water body or the coastal marine area.
- (4) Blasting must not be done—
 - (a) within 50 metres of a public road; or
 - (b) within 100 metres of an occupied building.
- (5) Abrasive material used in abrasive blasting must contain no more than 5% free silica by dry weight.
- (6) Waste and debris resulting from abrasive blasting must be removed from the site of the blasting to the extent practicable.
- (7) Dry abrasive blasting—
 - (a) must be done no more than 1 metre above ground level; and
 - (b) may be done only if covers or screens are used to mitigate the effects of any contaminants discharged by the blasting.
- (8) If abrasive blasting is done on a tower coated with lead-based paint, the waste and debris (including abrasive material) resulting from the blasting must be captured and removed by using geotextile material of a filter quality or by any equivalent method.
- (9) The following substances must not be used for surface preparation:

paint strippers (unless used on a solvent rag to degrease a surface), fungicides, acids, alkalis, sodium hypochlorite, or any other oxidising agent.

- (10) Protective coatings must be applied—
 - (a) by hand; or
 - (b) by pressurised spray used no more than 1 metre above ground level.

Regulation 26 Controlled activities

- (1) Blasting a transmission line support structure of an existing transmission line, or preparing the structure to receive protective coatings, is a controlled activity if –
 - (a) it is not done over a water body or the coastal marine area; and
 - (b) the applicable conditions in regulations 25(4) and (7) and complied with; and
 - (c) 1 or both of the following apply:
 - (i) it is done within 50 metres of a water body or the coastal marine area;
 - (ii) 1 or more of the conditions in regulation 25(5), (6), (8), and (9) are breached.
- (2) Applying protective coatings to a transmission line support structure of an existing transmission line is a controlled activity if the condition in regulation 25(10) is breached.

Matters over which control reserved

- (3) Control is reserved over the following matters in relation to a controlled activity under this regulation:
 - (a) the effects on water quality and ecologically-sensitive receiving environments; and
 - (b) the effects on occupied buildings; and
 - (c) the risk of contamination of soil; and
 - (d) the effects on health.

Regulation 27 Restricted discretionary activities

- (1) Blasting a transmission line support structure of an existing transmission line, or preparing the structure to receive protective coatings, is a restricted discretionary activity if –
 - (a) it is done over a water body or the coastal marine area; or
 - (b) 1 or both of the conditions in regulations 25(4) and (7) are breached.

Matters to which discretion restricted

- (2) Discretion is restricted to the following matters in relation to a restricted discretionary activity under this regulation:
 - (a) the effects on water quality and ecologically-sensitive receiving environments; and
 - (b) the effects on occupied buildings and use of public roads; and
 - (c) the risk of contamination of soil; and
 - (d) the effects on health.

Appendix II: Maps of defined urban areas⁵²

⁵² Note: the defined urban areas are located within the boundary line drawn on the Maps.



Figure 1: Eltham defined urban area



Figure 2: Hawera defined urban area



Figure 3: Kaponga defined urban area



Figure 4: Manaia defined urban area



Figure 5: Normanby defined urban area



Figure 6: Ohawe Beach defined urban area



Figure 7: Opunake defined urban area



Figure 8: Patea defined urban area



Figure 9: Waverley defined urban area



Figure 10: Midhirst defined urban area



Figure 11: Stratford defined urban area



Figure 12: Bell Block defined urban area



Figure 13: Egmont Village defined urban area



Figure 15: Lepperton defined urban area



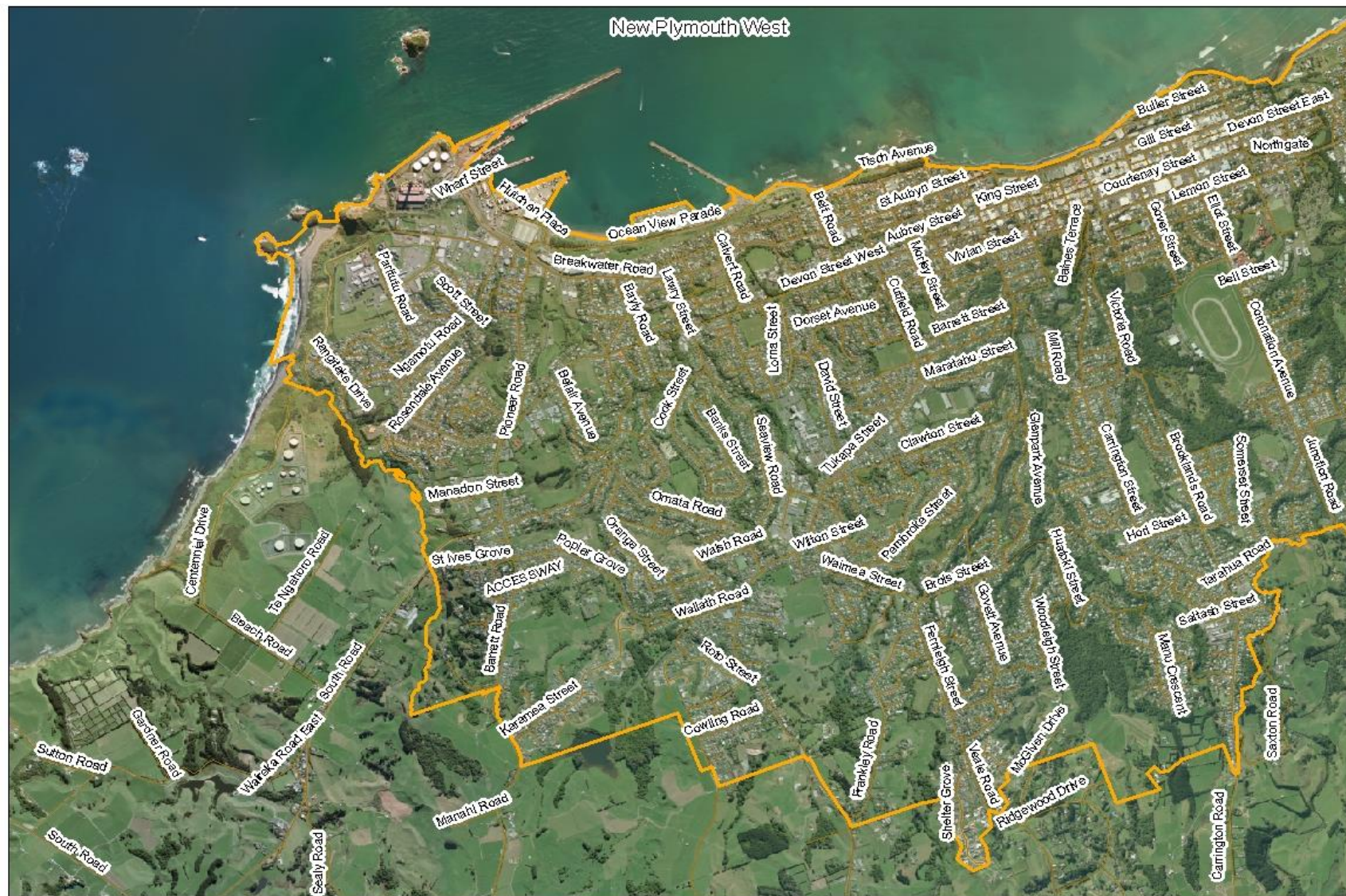


Figure 16a: New Plymouth West defined urban area



Figure 16b: New Plymouth East defined urban area



Figure 17: Oakura defined urban area



Figure 18: Onaero defined urban area



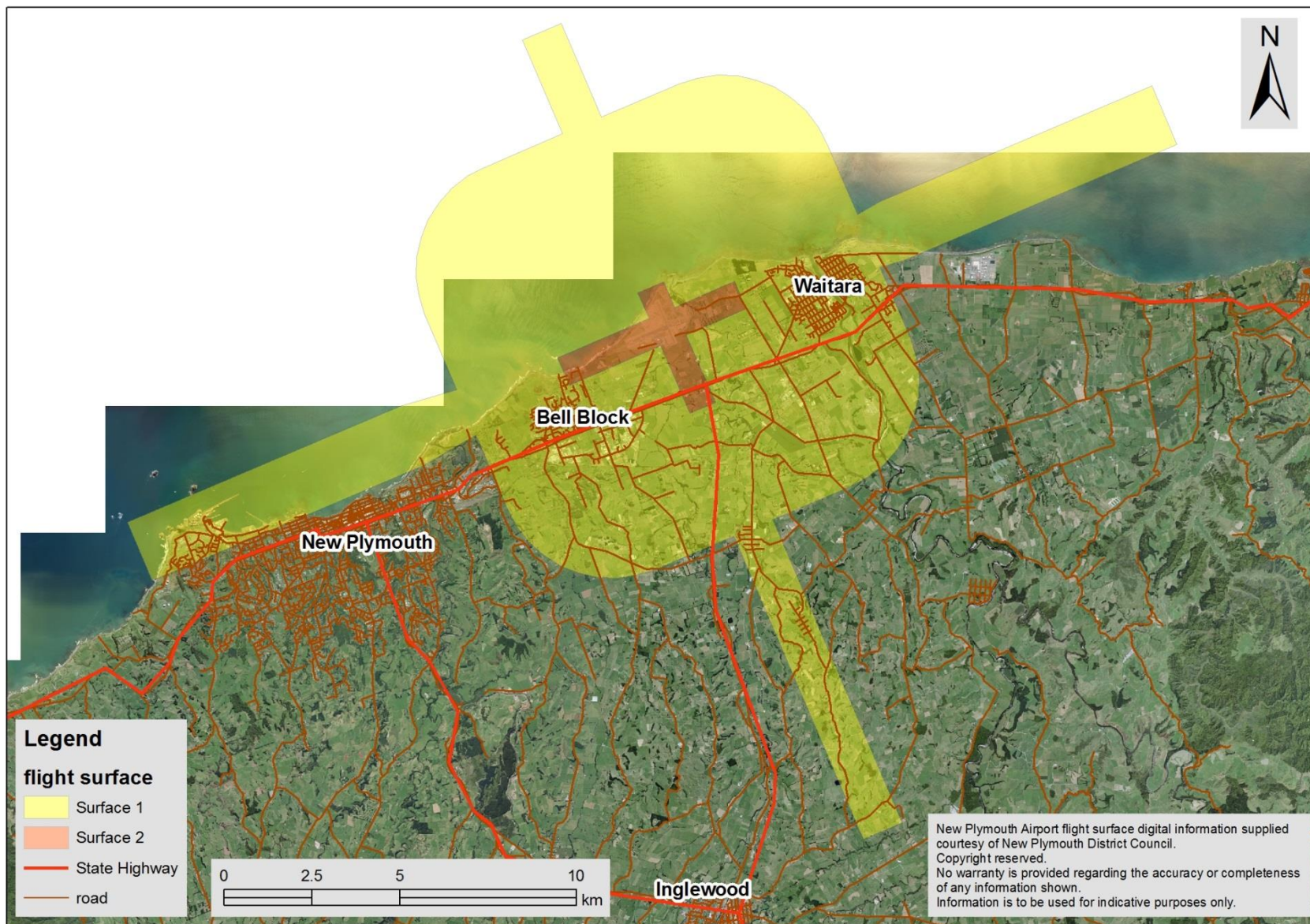
Figure 19: Okato defined urban area



Figure 20: Urenui defined urban area

Figure 21: Waitara defined urban area

Appendix III: New Plymouth Airport Flight Surface/Path



Appendix IV: Good management practices for intensive pig farming

Appendix IV: Good management practices for intensive pig farming

This appendix has been included in the Plan for general public information and education purposes. The information contained in this appendix also provides guidance on the best practicable options for preventing or minimising adverse effects on the environment from emissions to air from pig farming. It also provides a general indication of the matters that the regional council may consider and the nature of the conditions that might be attached to a resource consent for the discharge of contaminants into the air from piggeries (refer rules 47 to 50).

Applicants and resource consent holders will also be expected to demonstrate that they are giving effect to 'EnviroPork™ (2005)' and the Environmental Management System, both prepared by the New Zealand Pork Industry Board (www.pork.co.nz). The Council may also give consideration to 'Odour Management at Intensive Livestock Installations' published by the UK Environment Agency 2005, (www.environment-agency.gov.uk/agriculture, then select 'pigs and poultry'), and 'Code of Practice: Piggeries 1992', Department of Primary Industries (Victoria, Australia) (www.dpi.vic.gov.au, then select 'agriculture and food', then 'animals and livestock' then 'pigs').

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Taranaki Regional Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

Before starting a new pig farm, or extending an existing operation, it is strongly advised that the proposal should be discussed with staff of the Taranaki Regional Council as well as with the local district council and the neighbours of the site.

Best practicable option – piggery emissions

(a) Application of buffer distances

Preferred minimum buffer distances are set out in Tables 1 to 3 (page 160). It should be noted that buffer separation is not a substitute for good management of sheds, nor will observation of these distances without consideration of other factors ensure no odour problems off site.

The buffer distances set out in this Appendix do not represent the minimum distances required before a resource consent will be considered. However, should

Table 1: Standard buffer distances (note: the NZ Pork EMS provides individual buffer distances calculated on site-specific criteria)

a piggery be unable to meet the stipulated buffer distances, greater account will be taken of any concerns expressed by neighbours and more emphasis placed upon means of abating odorous emissions.

The Taranaki Regional Council will have regard to these buffer distances in determining whether notification of resource consent applications is required, and in determining the extent of any mitigation requirements. If these buffer distances cannot be met, it does not mean that resource consents will automatically be declined.

Future expansion

Applicants should consider whether their proposed site is capable of supporting an expansion without increasing off site effects to adjacent neighbouring properties, even if this is not immediately planned. The granting of a consent for a particular size of operation does not guarantee a consent can be changed to accommodate an expanded activity at some time in the future.

1. Buffer distances must be considered separately for:

- the piggery itself (refer Rules 47 to 50);
- effluent holding and treatment systems (refer Rules 40 and 55); and
- effluent disposal areas (refer Rules 35 and 55).

2. Distance from the perimeter of a piggery⁵³, or from the nearest point of an effluent holding and treatment system:

- to any property boundary: 20 metres.
- to any public amenity area or road: 50 metres.

3. Distance from the edge of any deposition zone used for effluent or manure spreading:

- to any property boundary: 20 metres.
- to any public amenity area or road: 50 metres

4. Standard and variable buffer distances

Standard buffer distances are set out in Table 1 (page 160). These distances may be varied as outlined in: section (a) 5 'Reduction in variable buffer zone dimensions (distances) for a piggery' (page 174).

⁵³ The 'piggery perimeter' is defined as a line circumscribing the extremities of an intensive piggery, containing all pig housing and animal enclosures.

p-value	Distance from perimeter to:-		
	1. Nearest community (10 houses or more)	2. Any place of public assembly	3. Any off site dwellinghouse
	metres	metres	metres
25 to 500	450	300	200
501 to 1999	900	650	250
2000 - 2499	1250	1000	300
2500 - 2999	1500	1200	400
3000 - 3499	1750	1400	450
3500 - 3999	2000	1600	500
4000 - 4499	2250	1800	550
above 4500	2500	2000	600

P value – means the maximum number of pigs kept in a piggery. For a weaner producer piggery, the p value will be taken as five times the number of pigs on the premises that are aged 71 days or more, or that weigh more than 25 kg. A weaner producer piggery means a piggery in which the progeny of breeding animals are removed prior to attaining either 25 kg in weight or 70 days in age (whichever occurs first).

5. Reduction in variable buffer zone dimensions (distances) for a piggery

- a buffer zone dimension may be reduced only when the piggery achieves and maintains conditions of a higher air quality and efficiency compared with those prescribed for a standard piggery.
- the maximum reduction will be regarded generally as a 40% reduction in the distances given in Table 1 above, ie: 0.6 multiplied by the standard buffer distance.

Table 2: Buffer distances for effluent holding and treatment located outside the piggery perimeter ⁵⁴ (note: the NZ Pork EMS provides individual buffer distances calculated on site-specific criteria)

Effluent holding and treatment system	Nearest community (10 or more houses)	Any place of public assembly	Any off site dwellinghouse
Anaerobic pond only	1000	500	250
Facultative lagoon system (aerobic surface layer)	750	400	200
Multiple pond system with aerobic final ponds	500	200	150

Table 3: Buffer distance for land application activities - These distances are measured from the edge of deposition areas. (note: the NZ Pork EMS provides individual buffer distances calculated on site-specific criteria)

Effluent application	Nearest community (10 or more houses)	Any place of public assembly	Any off site dwellinghouse
Sprayed into air more than 2 m above ground. Liquid ponds on surface for more than 3 hours. Solids not ploughed into soil. Anaerobic effluent.	1000	500	250
Anaerobic effluent applied by surface pipes or from mobile systems directed downwards. Liquids absorbed into surface within 3 hours. Solids ploughed into soil.	700	400	200
Fresh effluent (less than 12 hours old) after solids separation, or secondary pond effluent (BOD less than 2500 g/m ³).	500	200	150

⁵⁴ The 'piggery perimeter' is defined as a line circumscribing the extremities of an intensive piggery, containing all pig housing and animal enclosures.

(b) Environmental Management Plan

Applicants and operators should prepare an Environmental Management Plan (EMP) that describes measures for minimising environmental risks and contingency actions for responding to problems. The EMP should cover:

- a list of all key risk events for odour;
- a list of all key risk events for dust;
- waste management issues;
- the day-to-day best management practices and responses that will be put in place on the site to avoid or reduce these events and issues;
- details of contingency plans, describing actions, allocating responsibilities, and providing contact details for any outside advice, notification or assistance that might be required;
- details of any self-monitoring that will be carried out, including property boundary odour surveys;
- familiarisation of all staff with consent conditions and the contents of the EMP;
- trigger events and target response times;
- procedures for corrective actions taken as a result of an owner's own identification of any issue; and
- procedures for addressing complaints and incidents.

Readers should in particular refer to the Environmental Management System (EMS) of the New Zealand Pork Industry Board (note that not all information or requirements set out in this reference are applicable in Taranaki).

Operators should seek to ensure that they incorporate the best practicable options currently available for reducing emissions regardless of whether their operations meet the recommended buffer distances set out above.

The EMP should be updated every five years (at a minimum).

(c) Prevailing winds

If sensitive land uses (refer policy 2.3 of the Plan) are located downwind under prevailing wind directions, the preferred buffer distances above may be increased by 50%. Prevailing wind directions are generally as follows -

North Taranaki: from south-east, west and north-east
Central Taranaki: north and south
South Taranaki: from west and south-east
Local micro-climates may be different to these. For advice on particular localities, operators should check with the Taranaki Regional Council. Consent

applicants will be expected to have obtained information on local wind directions.

(d) Meteorology

Some parts of Taranaki are more prone than others to atmospheric conditions that trap emissions and prevent them dispersing. Operators should seek advice from the Taranaki Regional Council when considering both a general locality and a specific site for their facilities.

(e) Shed configuration

The preferred shed configuration is:-

- across the direction of prevailing winds, rather than parallel to them; and
- with multiple emission points, rather than a single discharge source (but see below re: 'discharge point design').

Shed lay-out should be such that doors are at the end of the sheds furthest from neighbours.

It is acknowledged that other site-specific considerations will also have to apply, such as:

1. the avoidance of conflict between air discharge points and neighbouring dwellings
2. land contours
3. orientation to the sun.

(f) Discharge point design

Dispersion of discharges is enhanced by:-

- increasing the height of discharge points;
- avoiding the use of conical rain shields over discharge stacks;
- changing from side-wall ventilation to overhead ventilation;
- changing from lowline roof ventilation exit points, to raised (ducted) ventilation points elevated well above the roof line (at least 3 metres above the roof line, to be fully effective);
- changing from natural ventilation air flows to fan-assisted ventilation;
- increasing vertical gas flow velocities by appropriate fan speeds, fan sizes and ducting diameters.

Notes and comments

Conical rain shields deflect discharge flows downwards rather than upwards. They should therefore be avoided.

Ideally, the point of discharge from the stack during ducting should be at least 3 metres above the peak

roof line of adjacent buildings, to avoid downdraughts and eddies and to promote dilution.

(g) Shed construction

Sheds should be constructed in a manner that makes them free of draughts and leaks, and subsequently well maintained. Materials should be impervious, to assist in cleaning and to avoid absorption of odours. Horizontal surfaces (other than the floor) will tend to accumulate dust and other wastes, and should be avoided. Flooring must be impervious and easily cleaned and disinfected.

Ventilation systems should not allow rain to enter the building and dampen litter.

Notes and comments

The need to eliminate draughts as a means of reducing air emissions is self-evident. Wet litter has been shown to result in increased odour release.

(h) Topography

Sheds should not be sited within the same valley system as sensitive receiving environments, unless the site is both downslope, and downwind under all prevailing wind directions. Sheds should not be sited on slopes above sensitive receiving environments.

Notes and comments

Valleys tend to channel emissions, preventing dispersion. Katabatic drift (the movement of air at night as it cools down) tends to flow down slopes, and can carry long distances.

(i) Aprons and access roading

These should be constructed of impervious material, and large enough to allow clean out of shed litter and loading for transport off site, without litter falling onto soil, surrounding gravel surfaces, or into any water or drainage channels. Roding and access should be kerbed to direct dirty water to collection tanks.

(j) Moisture control of litter

The moisture content of litter should be controlled by:

- prompt repair of leaks in roof and exterior walls;
- prompt repair of leaks in drinking water piping and drinkers;
- an adequate depth of bedding litter;
- the removal of damp litter around drinkers;
- adjustment of fogging spray systems, if used, so that droplets do not fall onto litter.

A moisture content of 30-40% is optimal, avoiding dust (too dry) and odour (too damp). If litter is caking or sticky, it is too wet.

Notes and comments

Wet litter is a significant odour source, especially as manure accumulates.

(k) Screening

Tree planting that screens buildings from neighbours or other sensitive receiving environments should be undertaken and maintained. While there is no clear evidence that vegetation reduces odour, it will disturb air flow (enhance mixing and thus dilution), and by reducing awareness of an activity will reduce sensitivity. Planting should be high and dense enough to screen buildings from sight of neighbours. Earthen embankments or fences may also be used.

At the same time, planting encroaching around the buildings will prevent free air flow around them, and should be avoided. A minimum separation of 20 metres is advised. Similarly, parallel pig sheds should be separated by a distance of at least five times the height of the buildings.

Notes and comments

If an odour source is not visible, then awareness of it decreases and people are less conscious of the odour. In addition, trees increase air turbulence (and therefore mixing and dispersion), remove odours from air flows (although this effect will be minor in most cases), and remove dust from air flows.

(l) Offal holes

Refer Rule 35 of the Plan. A sealed and lined offal hole will promote anaerobic decomposition and is generally favoured for small numbers of mortality, subject to avoiding an accumulation of methane gas (explosive and suffocating).

(m) Litter or manure removal

Faeces, urine, food wastes, and other biological material should be removed from the confines of the buildings preferably in less than 12 hours, and in no case more than 30 hours. As far as practicable, wind speed and direction should be taken into account when removing litter, and timed for periods when wind speed and direction are less likely to carry odour and dust towards neighbouring residences.

(n) Litter or manure spillage

Litter spillages (e.g. during its removal from sheds or from the property) should be recovered as soon as completely as practicable, and particularly before becoming damp.

(o) Litter or manure stockpiles

If used litter is stockpiled on the property (whether prior to removal, or for treatment or for ultimate use on the property), then it should be substantially covered by tarpaulins, sheeting or similar, or in a draught-proof building with closed doors, if the pile is within 150 metres of any residential property off the site, or within 200 metres of any dwellinghouse off the site.

(p) Litter or manure spreading onto land

Research indicates that most volatile compounds (including ammonia) are released within 4 hours of spreading on land (although significant releases may continue for several days). Spreading prior to 2 pm therefore generally avoids evening atmospheric inversion conditions, and the period of day when people may be relaxing outside. Experience is that untreated (anaerobic) slurry will release odour at significant rates for 6 hours.

Accordingly, measures that might assist to reduce odour effects include that wastewater land irrigation of aerobic pond effluent on any day between the last Sunday in September and the first Sunday in April should be undertaken prior to 2.00 pm (daylight saving time). If effluent from shed wastes or an anaerobic pond is spread or sprayed onto land, it should be undertaken before 12 noon. As far as practicable and taking into account operational requirements, avoid spreading on weekends and public holidays.

Records should be kept of dates, locations, quantities, and weather conditions prevailing when wastes are spread. As far as practicable, spread wastes only when the wind is away from neighbours, roads and sensitive receiving environments.

Liquid should not be spread at such a rate that it remains ponded on the surface for more than one hour after spreading.

(q) Complaints

Any complaints concerning odour, or other effects of discharges to air, received by a farm operator should be recorded in writing by the operator. Details should include:

- the time, nature and extent of the effect as reported, including its duration, frequency and offensiveness;
- the location, name and contact phone number of the complainant (if known);
- the wind direction and speed at the time of the incident;
- general weather conditions (e.g. humid, fine and clear, misty);
- general operational status of the farm;
- any on-farm circumstances that may be related to the incident;
- any investigations undertaken as a result of the complaint;
- any changes made to farm activities as a result of the incident;
- any report given back to the complainant.

(r) Emission abatement technology - dust

Dust mitigation measures include:

- control of dust content of supplied litter;
- misting sprays within sheds;
- avoiding over-dry litter;
- minimising animal movement and activity;
- maintaining a vegetation cover on areas around buildings;
- avoiding high air flow velocities inside sheds;
- using dust filters on extraction ducting;
- adequate separation from neighbouring properties/premises;
- tree screening;
- avoiding dusty feedstocks;
- controlling vehicle speeds on dirt access tracks.

(s) Emission abatement technology - odours

Odour mitigation measures include:

- an adequate depth of litter in the shed;
- a high standard of building and floor cleanliness;
- clean animals;
- proper stocking rates;
- misting sprays within sheds;
- avoiding over-damp litter;
- proprietary odour treatment systems;
- adequate separation from neighbouring properties/premises;
- elevated discharge into the air from buildings;
- passing odorous air through biofilters or chemical scrubbers;
- controlling interior shed temperature below 26°C;
- tree screening;
- the correct sizing of wastewater systems, including allowance for expansion of pig numbers.

Notes and comments

It should be noted that proprietary odour treatment systems should be tested for demonstrated

performance and cost-effectiveness before purchase and use.

(t) Burning of wastes and rubbish

Further to matters related to burning covered elsewhere in the Plan, or by a resource consent, the burning of wastes is not generally favoured because of the likelihood of smoke and odour nuisance.

(u) Wastewater collection systems - design and operation

Washdown and wastewater collection and transport systems should be designed and constructed so as to avoid stagnation of wastewaters. Low points in the system should be avoided and gradients should be calculated to avoid sedimentation or settling of solid wastes within channels. Enclosed pipes rather than open channels are preferred, including for transfer to outside buildings. Site drainage should prevent stormwater ingress into sheds and contamination of stormwater systems by litter or washwater runoff.

If odours do occur, the cleaning and flushing of pen floors and drainage channels and pipes should be increased in frequency, from every second day, to every second day at regular times, to daily, or to morning and evening, as the need arises. Cleaning should include the removal of all feed not consumed within 24 hours, and all solid and liquid wastes. Washing in summer should be more frequent than in winter. Other than for waste reception channels or trenches, effluent transfer lines should be enclosed pipes whenever practicable.

Wastewater holding tanks, pump wetwells or sumps should be covered or enclosed, to minimise odour release. Sediment in sumps should be removed at no longer than three-monthly intervals.

Note: this section addresses only air emission effects from wastewater. Water quality impacts should also be addressed.

(v) Wastewater treatment systems

In choosing a wastewater treatment system, the odour potential should be considered. The most preferred system is the use of aerobic or aerated lagoons (minimum of two-pond system). Less preferable is a facultative lagoon system, while anaerobic ponds have a high odour potential.

Note: the requirements of Rule 40 or Rule 55 of the Regional Air Quality Plan also apply.

(w) Feed formulations

In formulating the appropriate diet – balancing cost and availability of feed and matching these to pig age, health, genotype and sex – the odour potential should be considered. The optimum outcome is when diets are formulated to closely match nutrient inputs to animal needs, and minimise nitrogen excretion.

Research indicates that feed mixtures and formulations, and the natures of additives e.g. antibiotics, influence the odour potential of manure. As yet this is not sufficiently advanced to give

comprehensive specific guidance. However, operators should remain abreast of continuing developments. The addition of amino acid as powder rather than in liquid form reduces odour from meal and manure. All feed stock should be kept dry.

(x) Temperature control

A lower shed temperature reduces the rate at which odours are released. It also reduces microbial activity, which is a significant cause of odour.

(y) Contingency planning

A contingency plan should be prepared to safeguard against eventualities such as (i) breakdown or failure of wastewater treatment processes and (ii) a high mortality situation. The contingency plan should be developed in consultation with officers of the Taranaki Regional Council.

(z) Encroachment of incompatible activities

To safeguard the opportunity for future expansion, site owners should remain aware of any proposals to subdivide or to change the zoning (land use controls) of nearby land that may allow the establishment of activities that are incompatible with intensive farming

Appendix V: Good management practices for intensive poultry farming

Appendix V: Good management practices for intensive poultry farming

This appendix has been included in the plan for guidance to the poultry industry, and for general public information and education purposes. The information contained in this appendix provides general guidance on the range of options for preventing or minimising adverse effects on the environment from emissions from poultry farming, whether for egg production or broiler farming. It also provides a general indication of the matters that the Taranaki Regional Council will consider and the nature of the conditions that might be attached to a resource consent for the discharge of contaminants into the air from poultry farms (refer Rules 51 to 54).

The material presented in this appendix must not be considered as a set of rules that will be applied universally. Each individual situation will be considered by the Taranaki Regional Council on its particular merits and circumstances, with regard for the level of environmental protection that is appropriate in that situation.

Before starting a new poultry farm, or extending an existing operation, it is strongly advised that the proposal should be discussed with officers of the Taranaki Regional Council as well as with the local district council and the neighbours of the site.

This appendix is based primarily on experience gained in the Taranaki region since 1992, together with information contained in 'Code of Good Agricultural Practice for the Protection of Air' (UK Ministry of Agriculture, Fisheries and Food 1998), 'Odour Management at Intensive Livestock Installations' (UK Environment Agency 2005, www.environment-agency.gov.uk/agriculture then select 'pigs and poultry'), 'Poultry Industry Agreed Standards and Codes of Practice', October 1995, developed by the Poultry Industry Association of NZ (Inc), a draft code of practice prepared by Environmental Science and Research for Taranaki Regional Council, 1994, the 'NSW Poultry Farming Guidelines (draft)' October 1992, developed by NSW Agriculture and referenced by the Environment Protection Authority (NSW), and 'Victoria Code for Broiler Farms 2001' (Department of Primary Industries Victoria, www.dpi.vic.gov.au).

a) Environment management plan (EMP)

Applicants and operators should prepare an Environmental Management Plan (EMP) that describes measures for minimising environmental risks and contingency actions for responding to problems. The EMP should cover:

- a list of all key risk events for odour;
- a list of all key risk events for dust;
- waste management issues;
- the day-to-day best management practices and responses that will be put in place on

the site to avoid or reduce these events and issues;

- details of contingency plans, describing actions, allocating responsibilities, and providing contact details for any outside advice, notification or assistance that might be required;
- details of any self-monitoring that will be carried out, including property boundary odour surveys;
- familiarisation of all staff with consent conditions and the contents of the EMP;
- trigger events and target response times;
- procedures for corrective actions taken as a result of an owner's own identification of any issue; and
- procedures for addressing complaints and incidents.

Readers should in particular refer to the Victoria Code and to the Department of Primary Industries (Victoria) Generic EMP, and the UK Environmental Agency Integrated Pollution Prevention and Control (IPPC) guides for greater detail than is set out above (note that not all information or requirements set out in these references are applicable in Taranaki).

Operators should seek to ensure that they incorporate the best practicable options currently available for reducing emissions regardless of whether their operations meet the recommended buffer distances set out on page 168.

The EMP should be updated every five years (at a minimum).

b) Buffer distances

Preferred minimum buffer distances between sheds and other features are set out in Table 1 (page 168). It should be noted that buffer separation is not a substitute for good management of sheds, nor will observation of these distances without consideration of other factors ensure no odour problems off site.

Table 1: Recommended buffer distances

Number of poultry	1. Distance to nearest off site dwellinghouse	2. Distance to nearest sensitive area (refer to Policy 2.3)	3. Distance to road	4. Distance to any boundary
	metres	metres	metres	metres
Fewer than 30,000	100	100	100	50
30,000 – 59,999	200	200	100	50
60,000 – 79,999	300	300	100	50
more than 80,000	400	400	100	50

The Taranaki Regional Council will have regard to these buffer distances in determining whether notification of resource consent applications is required, and in determining the extent of any mitigation requirements. If these buffer distances cannot be met, it does not mean that resource consents will automatically be declined.

The distances in Table 1 above are calculated from the wall of the nearest shed. However, in the case of 'tunnel' sheds (fan-forced ventilation along the length of the shed, exiting at one end), the buffer distances are calculated from the shed exit end, provided that shed construction and maintenance are such that all fugitive emissions are minimised.

c) Future expansion

Applicants should consider whether their proposed site is capable of supporting an expansion without increasing off site effects to adjacent neighbouring properties, even if this is not immediately planned. The granting of a consent for a particular size of operation does not guarantee a consent can be varied to accommodate an expanded activity at some time in the future.

d) Prevailing winds

If sensitive land uses (refer policy 2.3 of the Plan) are located downwind under prevailing wind directions, or are located downslope, the preferred buffer distances above may be increased by up to 50%. Prevailing wind directions are generally as follows -

North Taranaki: from south-east, west, and north-east

Central Taranaki: north and south

South Taranaki: from west and south-east

Local micro-climates may be different to these. For advice on particular localities, operators should check with the Taranaki Regional Council. Consent applicants will be expected to have obtained information on local wind directions.

e) Meteorology

Some parts of Taranaki are more prone than others to atmospheric conditions that trap emissions and prevent them dispersing. Operators should seek advice from the Taranaki Regional Council when considering both a general locality and a specific site for their facilities.

f) Shed configuration

Shed design and specific site considerations will apply. In general, the preferred shed configuration is:

- across the direction of prevailing winds, rather than parallel to them; and
- with multiple emission points, rather than a single discharge source (but see below re: 'discharge point design');

Shed layout should be such that bird and litter removal takes place at the end of the sheds furthest from neighbours.

It is acknowledge that other site specific considerations will also have to apply, such as (1) the avoidance of conflict between air discharge points and neighbouring dwellings (2) land contours (3) orientation to the sun.

g) Discharge point design

Dispersion of discharges is enhanced by:

- increasing the height of discharge points;
- avoiding the use of conical rain shields over the top of discharge stacks;
- increasing vertical exhaust velocities by appropriate fan speeds, fan sizes, and shaft sizes;
- the use of vertical discharge fan units with minimal obstruction to the outside shaft's airflow;
- tunnel shed design, with large capacity fans in one end wall to discharge to one end of a farm;
- the use of air direction baffles or ramps; and
- possibly shelter belt plantings (but see [I] 'Screening' below).

Having the point of discharge at least 3 metres above the peak roofline of the shed and adjacent buildings provides maximum dispersion, by avoiding eddies and downdraughts and promoting dilution.

h) Shed construction

Sheds should be constructed in a manner that makes them free of draughts and leaks, and subsequently well maintained. Materials should be impervious, to assist in cleaning and to avoid absorption of odours. Horizontal

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surfaces (other than the floor) will tend to accumulate dust and other wastes, and should be avoided. Flooring must be impervious and easily cleaned and disinfected. Ventilation systems should not allow rain to enter the building and dampen litter.

A well-insulated shed will mean less air flow is required to maintain shed temperature, and hence improves dilution and mixing downwind of the shed.

i) Topography

Sheds should not be sited within the same valley system as sensitive receiving environments, unless the site is both downslope, and downwind under all prevailing wind directions. Sheds should not be sited on slopes above sensitive receiving environments. The direction of night breezes should be considered.

Notes and comments

Valleys tend to channel emissions, preventing dispersion. Katabatic drift (the movement of air at night as it cools down) tends to flow down slopes, and can carry long distances.

j) Aprons and access roading

These should be constructed of impervious material, and large enough to allow clean out of shed litter and loading for transport off site, without litter falling onto soil, surrounding gravel surfaces, or into any water or drainage channels.

k) Moisture control of litter

The moisture content of the litter should be controlled by:

- prompt repair of leaks in roof and exterior walls;
- prompt repair of leaks in drinking water piping and drinkers;
- a suitable depth of bedding litter;
- the removal of damp litter around drinkers; and
- adjustment of fogging spray systems, if used, so that droplets do not fall onto litter.

Nipple drinkers or drip cups (or alternative on-demand systems) are preferred over water troughs or bell drinkers, to avoid wetting litter.

A litter moisture content of 20-25% is considered optimal, avoiding dust (too dry) and odour (too damp), and promoting aerobic bacterial action. If litter is caking or sticky, it is too wet.

l) Screening

Tree planting that screens buildings from neighbours or other sensitive receiving environments should be undertaken and maintained. While there is no clear evidence that vegetation reduces odour, it will disturb air flow (enhance mixing and thus dilution), and by reducing awareness of an activity will potentially reduce sensitivity. Planting should be high and dense enough to screen buildings from the sight of neighbours.

Earthen embankments or fences up to 2 metres high may also be used.

m) Air flow

When considering screening (see [l] above), it should at the same time be remembered that planting that encroaches around the buildings will prevent free air flow around them, and may need to be avoided in the interests of adequate ventilation of the sheds and dispersion of emissions. A minimum separation between buildings and trees of 20 metres is advised. However, shading and cooling of sheds by trees in summer may also be an advantage. Similarly, parallel poultry houses should be separated by a distance of at least five times the height of the buildings if dispersion of emissions is to be maximised.

n) Dead birds

Dead birds should be collected from the sheds and disposed of on a daily basis. Acceptable options include holding in frozen storage pending removal off site, incineration in a licensed incinerator, disposal in an offal hole, or a properly controlled composting operation.

o) Offal holes

Refer to Rule 35 of the plan for offal hole requirements. A sealed and lined offal hole will promote anaerobic decomposition and is generally favoured for small numbers of mortality, subject to avoiding an accumulation of methane gas (explosive and suffocating).

p) Litter spillage

Litter should be removed from site in covered/enclosed vehicles. Litter spillages (e.g. during its removal from sheds or from the property) should be recovered as soon and as completely as practicable, and particularly before becoming damp. To the extent practicable, litter removal should be timed and managed for periods when wind speed and direction are less likely to carry odour and dust towards neighbouring residences.

q) Litter stockpiling

If used litter is stockpiled on the property (whether prior to removal, or for ultimate use on the property), then it must be substantially covered by tarpaulins, sheeting or similar, or in a draught-proof building with closed doors, if the pile is within 200 metres of any dwellinghouse off the site.

r) Litter spreading

Animal litter spreading on any day between the last Sunday in September and the first Sunday in April should be undertaken prior to 2.00 pm (daylight saving time). Avoid spreading on weekends and public holidays. Records should be kept of date, locations, quantities, and weather conditions prevailing when litter is spread. As far as practicable, spread litter only when the wind is away from neighbours, roads, and sensitive receiving environments.

s) Noise

Noise is not a matter that the Taranaki Regional Council can consider. However, it is a matter of observation that reducing awareness of an activity will reduce sensitivity to that operation. Appropriate management of noise generation and noise reduction measures will reduce the likelihood of complaints.

t) Complaints

Any complaints concerning dust, odour, or other effects of discharges to air, received by a farm operator, should be recorded in writing by the operator, and the records retained for at least six months. Details should include:

- the time, nature and extent of the effect as reported;
- the location, name and contact phone number of the complainant (if known);
- the wind direction and speed at the time of the incident;
- general weather conditions (e.g. humid, fine and clear, misty);
- general operational status of the farm;
- any on-farm circumstances that may be related to the incident;
- any investigations undertaken as a result of the complaint;
- any changes made to farm activities as a result of the incident; and
- the nature of any feedback given back to the complainant.

u) Emission abatement technology - dust

Dust mitigation measures include:

- control of dust content of supplied litter;
- misting sprays within sheds;
- avoiding over-dry litter;
- optimising bird movement and activity;
- maintaining a vegetation cover on areas around buildings;
- avoiding overly high air flow velocities inside sheds;
- using dust filters, baffle plates, nets, or other dust abatement systems on extraction ducting;
- adequate separation from neighbouring properties/premises;
- tree screening;
- avoiding dusty feedstocks; and

- controlling vehicle speeds on unpaved access tracks.

v) Emission abatement technology - odours

Odour mitigation measures include:

- an adequate depth of litter in the shed – 10-15 cm as a minimum;
- misting sprays within sheds;
- proper stocking rates;
- control of feed formulations and additives;
- avoiding over-damp litter;
- proprietary odour control systems of proven performance;
- proprietary litter additives of proven performance
- adequate separation from neighbouring properties/premises;
- elevated discharge into the air from buildings; and
- tree screening.

While there are proprietary odour masking or neutralising agents on the market, the efficacy of these is generally unproven.

w) Burning of wastes and rubbish

Other than as covered elsewhere in the Regional Air Quality Plan for Taranaki, or by a resource consent, the burning of wastes is not generally favoured because of the likelihood of smoke and odour nuisance.

x) Shed washdown water disposal systems - design and operation

Washdown collection and transport systems should be designed so as to avoid ponding or stagnation of washdown water.

Drains (other than collection channels) should be enclosed pipes rather than open. Site drainage should prevent stormwater ingress into sheds and contamination of stormwater systems by litter or washwater runoff.

Washdown water holding tanks or sumps should be covered or enclosed, to minimise odour release. Sediments in sumps should be removed at no longer than three monthly intervals.

Note: this section addresses only air emission effects from washdown water. Water quality impacts should also be addressed.

y) Washdown water and effluent disposal

Contaminated seepage from manure or litter on site, or washdown water from heavily soiled sheds, needs to be disposed of in a safe manner, as under Rule 40 or 55 in this plan.

z) Feed formulations

Research indicates that feed mixtures and formulations do influence the odour of manure. As yet this research is not sufficiently advanced to give comprehensive specific guidance. However, operators should remain abreast of continuing developments. All feed stock should be kept dry.

aa) Temperature control

A lower shed temperature reduces the rate at which odours are released. It also reduces microbial activity, which is a significant cause of odour. When shed temperatures are being optimised, these factors should be considered.

bb) Contingency planning

To safeguard against the consequences of a high mortality situation, a contingency plan for the rapid disposal of very large numbers of birds should be prepared e.g. access to off site incineration or prior discussion with the Taranaki Regional Council over an acceptable burial area and burial procedures.

cc) Reverse sensitivity

To safeguard the opportunity for future expansion, site owners should remain aware of any proposals to subdivide or to change the zoning (land use controls) of nearby land that may allow any establishment of activities that are incompatible with intensive farming.

Appendix VI: Training requirements for qualifications to apply agrichemicals

Appendix VI: Training requirements for qualifications to apply agrichemicals

The following are the training requirements for an applicator to comply with condition (f) (iv) of Rule 56 and (e) (iii) of Rule 57.

The minimum training programme for applicators of agrichemicals shall include:

Knowing and being able to describe:

- (a) The hazard classifications of agrichemicals to be used.
- (b) The adverse effects that could be caused by the agrichemicals to be used.
- (c) His or her obligations and liabilities under Acts of Parliament relative to the agrichemicals to be used and their use.
- (d) Which regulations apply in respect of those agrichemicals, and where those regulations can be obtained (including the local regional air quality plan).
- (e) The content of NZS 8409: 2004 Management of Agrichemicals.
- (f) The precautions required to prevent injury to a person or damage to the environment (including property) by any agrichemicals to be used.
- (g) The procedure to adopt in an emergency involving the agrichemicals to be used.
- (h) First aid, health and safety, and emergency response.
- (i) Environmental effects, including spray drift minimisation.
- (j) Notification requirements, including signage.
- (k) Product label interpretation.
- (l) Protective equipment selection and use.
- (m) Transport, storage and disposal of agrichemicals.
- (n) Selection, calibration and operation of application equipment for specific operations.

Knowing and being able to demonstrate:

- (o) A working knowledge of the operating equipment (including protective equipment and clothing) necessary to manage the agrichemicals being used.

Appendix VII: Good agrichemical spray management practices

Appendix VII: Good agrichemical spray management practices

This Appendix is based on information contained in New Zealand Standard 8409: 2004 Management of Agrichemicals, produced by Agrichemical Education Trust and Standards New Zealand and the Growsafe Introductory Manual 2007, developed by the New Zealand Agrichemical Education Trust. It has been included in the Plan in a simple and convenient form for general public information and education purposes. The information contained in this Appendix also provides general guidance on the best practicable option for preventing or minimising adverse effects on the environment of agrichemical spraying. It also provides a general indication of the nature of the conditions that might be attached to a resource consent for the spraying of agrichemicals.

Nothing in this Appendix shall amend or detract from any responsibility or requirement applying under the Hazardous Substances and New Organisms Act 1996 or the Agricultural Compounds and Veterinary Medicines Act 1997 or any amendment or regulation made under those Acts.

Compliance with Section 6 to 10 of the Growsafe Introductory Manual 2007, or with other documented instructions on discharge of agrichemicals giving an equivalent degree of environmental protection that are provided to the Taranaki Regional Council, will be taken as demonstrating the adoption of best practicable option to prevent or minimise any adverse effects of spray beyond the boundary of the target property or other non-target areas or species within the boundary of the property.

Any person discharging agrichemical sprays:

- Should undertake an accredited or recognised course in the use of agrichemical sprays, such as a GROWSAFE® Introductory Certificate (for ground based applications), or a GROWSAFE® Registered Chemical Applicator's Certificate (for commercial spray operators), and any pilot undertaking aerial application shall hold as a minimum, a current Pilot Chemical Rating Certificate issued by Civil Aviation Authority (CAA), or other similar qualifications that meet the requirements of Appendix VI .
- Should not spray if the wind speed over the area to be sprayed is less than one metre per second (3 kilometres per hour) and droplet size is less than 50 micron, or greater than six metres per second (15 kilometres per hour).
- Should not spray upwind of the following sensitive areas:
 - occupied dwellinghouse
 - public amenity areas
 - places of public assembly
 - water bodies used for public water supply
 - sensitive crops or farming systems such as organic farms
 - places, areas or features of special significance to tangata whenua
 - wetlands
 - other water bodies

- public roads

unless the buffer zones set out in this Appendix are observed and unless additional techniques for minimising spray drift beyond the boundary of the property or other non-target areas, as set out in this Appendix, are given effect to (refer to Table 1 page 180).

- Should have particular regard to wind speed and direction during the application of spray.
- Should discharge sprays during periods of positive air movement away from sensitive receiving environments (as described above).
- Should have particular regard to selection of nozzle size and pressure of spray units, to prevent or minimise the potential for spray drift.
- Should dilute spray solutions to the proper concentration for application.
- Should dispose of surplus spray solution and spray containers according to recommendations of the manufacturer or supplier, as stated in the directions on the product container label.
- Should keep specific records of the type of each spray applied, the volume of spray used, the volume of product concentrate used, the date, and the locality.
- Should maintain boundary shelter belts in good condition to a height of at least 3.5 - 4 metres and a depth of at least 1.0 metre at any time spraying is undertaken of shrubs, trees, or vines.
- Should use only those agrichemicals currently licensed for use.
- Should apply sprays strictly in accordance with the manufacturer's instructions, as stated on the product container label.
- Should preferably use sprays of low volatility or low toxicity.
- In the case of discharge from a vehicle or by a pedestrian, should discharge at a height less than 1.5 metres above the target, and preferably less than 0.5 metres above the target.
- Should use equipment generating a droplet size greater than 50 microns in diameter, and preferably greater than 200 microns.
- Should observe the minimum buffer zones set out in Table 1 (below), in conjunction with the other methods outlined in this Appendix.

It is vital that the guidelines given in Table 1 below are regarded as that – guidelines, which represent the best estimate for three typical application types. Buffer zones, with or without shelter belts, merely provide an opportunity for concentrations of agrichemicals to fall sufficiently so that the risk to sensitive areas beyond the buffer zone becomes acceptable (i.e. environmental exposure levels are not exceeded). Depending on the particular circumstances however, there is no guarantee that this can be achieved. Therefore buffer zones are only one of many methods to manage and reduce drift hazards.

Table 1 gives suggested distances between downwind edge of the target area and the sensitive area. These are for guidance only.

Table 1: Minimum buffer zones

Application method	Buffer zone	
	With shelter	Without shelter
Spray discharge direction vertically downwards	2m	10m
Spray discharge direction horizontal or upwards or from air blast or vortex sprayers	10m	30m
Aerial application	100m	300m

Note: This table is a guide only. The suggested distances are minimum distances and are subject to:

- a) the proper calibration and use of the spray equipment, and
- b) all other appropriate strategies being observed to reduce spray drift hazard.

Appendix VIII: Determination of chimney heights

Appendix VIII: Determination of stack heights and boiler operation

The appendix has been included in the Plan for both compliance with Rules in the Plan (i.e. Rules 3(d), 5(c) and 6(c)) and for guidance to industry, and for general public information and educational purposes. It is advised that users of the Plan should read the rules carefully to determine if compliance with the appendix is required and to contact the Taranaki Regional Council if further clarification is required.

PART I – Introduction

Scope of the Requirements

- 1 This Appendix provides a method of calculating acceptable chimney heights for discharges of the products of combustion from industrial or trade premises. It also includes an overview of basic boiler management.
- 2 The Appendix is in two parts. Part I provides an introduction to the appendix by setting out the scope of the requirements and by providing background information on the requirements. Included as background information are relevant technical matters upon which the method of calculation is based. Information is also provided on how compliance with chimney heights and related requirements of the plan can be met.
- 3 Part II of the Appendix sets out the method of calculating chimney heights. Part II is used in two ways. With respect to discharges covered by Rules 3, 5, and 6, compliance with the conditions of the permitted activity relating to chimney heights, requires that the heights conform to those calculated in compliance with the methods set out in Part II of this Appendix. With respect to Rules 2, 4 and 7, the Taranaki Regional Council in conjunction with the applicant or consent holder, will have regard to Part II of this Appendix when assessing the 'best practicable option' to prevent or minimise the adverse effects of the discharge and/or in setting other conditions relating to adverse effects of the discharge.

Background Information

- 4 The method of calculation is based on the amount of flue gases which the chimney is expected to emit as a function of the maximum rate of emission of sulphur dioxide. This applies to fuels such as oil and coal. For natural gas/liquefied petroleum gas fired equipment, refer to paragraph 13 (b).
- 5 Prejudice to health or nuisance from smoke, grit and dust should not occur where chimney heights are so calculated and where the other relevant requirements of the Resource Management Act are given effect to. It should be noted that difficulty with grit and dust cannot be avoided solely by increasing the height of a chimney. Dust arrestment plant may also be necessary in order to achieve compliance with rules in this Plan.

- 6 For small and medium-sized oil fired combustion sources experience has shown that an insulated stack is necessary to avoid acid smut problems.
- 7 In the nomograms (Figures 1 to 6 in Part II), the chimney height has been calculated to ensure dispersion of the gases to achieve a theoretical maximum ground level concentration of 400 $\mu\text{g}/\text{m}^3$ (about 0.16 ppm by volume) of sulphur dioxide. This is less than the generally accepted threshold of odour for this gas of 1.1 mg/m^3 (about 0.5 ppm by volume).

Acceptable chimney heights calculated in accordance with this Appendix will also be taken by the Taranaki Regional Council as achieving compliance with a maximum exposure level at any time for sulphur dioxide of 570 $\mu\text{g}/\text{m}^3$ (hourly time-weighted average exposure) and 350 $\mu\text{g}/\text{m}^3$ as the hourly average (nine exceedances allowed annually), unless otherwise demonstrated. These figures are the Resource Management (National Environmental Standards [For Air Quality]) Regulations 2004 for air quality for sulphur dioxide in New Zealand.

Efflux velocity

- 8 The diameter of a chimney top should be as small as possible in order to increase the efflux velocity of the flue gases. If the efflux velocity is insufficient, the plume tends to flow down the outside of the stack on the lee side and the effective chimney height is thus reduced. Efflux velocities of about 15 m/sec will avoid this downwash.
 - 9 Such a velocity is impracticable for small combustion sources. Small furnaces or boilers equipped with forced draught fans only should have a chimney efflux velocity of not less than 6 m/sec at full load. Boilers or furnaces equipped with induced draught fans should have a chimney efflux velocity of not less than 8 m/sec at full load for boilers rated up to 13,600 kg/hour increasing to a maximum of 15 m/sec at full load for boilers rated at 204,000 kg/hour.
 - 10 The method of calculation of final chimney heights set out in Part II of this Appendix assumes that the appropriate efflux velocity will be achieved.
 - 11 Consent holders, and operators of boilers generally, are responsible for maintaining and operating combustion equipment according to good industry practice. Without restricting that obligation, a boiler should be serviced at least once every year, by a person competent in the servicing of such appliances. This servicing should include: visual assessment of the stack emissions under low and full load, inspection of the state of flues, notes on any recent construction of buildings in the vicinity, adjustment if necessary of the fuel-to-air ratio, and testing of the ratio or concentration of combustion gases discharged i.e., carbon
- Regional Air Quality Plan for Taranaki*

monoxide, carbon dioxide and oxygen, using a suitably calibrated instrument. Service reports shall be prepared and retained, and copies shall be provided to the Taranaki Regional Council on request.

Combining of emissions

- 12 Where there are several adjacent furnaces in the same works, there are advantages in combining the waste gases, if possible, and discharging them through a common chimney. The larger volume from the combined emissions has a higher thermal rise than the discharges from separate chimneys and the concentration of the flue gases reaching the ground is smaller.

Fuel types

- 13 (a) For combustion processes using liquid or solid or mixed fuels, the materials to be combusted will contain varying amounts of sulphur. The proportions of sulphur content used in the calculation of the amount of sulphur dioxide emission from the combustion process are set out in paragraph 18 of Part II.
- (b) For natural gas and manufactured gas (with zero or very low sulphur content) it is recognised that the process of combustion generates low levels of nitrogen oxides, which have much the same degree of offensiveness as sulphur dioxide. For combustion sources using gas fuel, the main consideration is to avoid local down-draught effects. The determination of uncorrected chimney heights is made in accordance with paragraph 21 of Part II. Final chimney heights are calculated in accordance with paragraphs 22 to 25 of Part II, and Figure 6.
- (c) A special category of furnaces is those where the flue gases are used directly to dry or heat various materials. In these cases the height of the stack required may be related more to the material exposed to the flue gases rather than the nature of the fuel. Additional measures to manage ground level effects may also apply. Such cases require individual assessment. Consultation with the Taranaki Regional Council is recommended.

Dust emissions

- 14 The stack height is also based on the assumption that little dust or grit is produced in combustion or that an effective grit arrestor is fitted. It should be noted that when grit arrestors are fitted to wood-burning plants, performance is likely to be less effective than on solid fuels because of the lower density of the material to be collected.

PART II - Method of Calculating Chimney Heights

"Uncorrected chimney height" and "final chimney height"

- 15 The first stage is the calculation of the "uncorrected chimney height". For fuels other than natural gas and manufactured gas, the uncorrected chimney height is the height appropriate for the relevant maximum rate of sulphur dioxide emission when account has been taken of neighbouring sources of pollution, and the general character of the locality (paragraphs 17 to 20). For combustion sources using natural gas and manufactured gas, uncorrected chimney heights are set out under paragraph 21.
- 16 The second stage is the calculation of the "final chimney height". This is the uncorrected chimney height amended if necessary to allow for the dispersion from the chimney being affected by the supporting building and by neighbouring buildings.

Calculation of uncorrected chimney height

Consideration of locality

- 17 The initial step is to consider the character of the surrounding district which for this purpose will be regarded as falling into one of the following categories:
- A a rural area, and no other comparable industrial emissions within 1 kilometre of the chimney under consideration;
 - B a partially developed area with scattered houses, and no other comparable industrial emissions within 1 kilometre of the chimney under consideration;
 - C a built-up residential area and no other comparable industrial emissions within half a kilometre of the chimney under consideration;
 - D an urban area of mixed industrial and residential development and with other comparable industrial emissions within half a kilometre of the chimney under consideration;
 - E an area where existing air quality is of significance, namely, those areas defined in Policy 2.3 and Section 6 of the Act as requiring special recognition.

Note: of the categories listed above, categories A, C, and D are those considered to be generally applicable in Taranaki, covering rural, urban, residential, and industrialised areas respectively. Category E is applicable in the vicinity of areas where it is appropriate to give particular regard to maintaining or enhancing ambient air quality to a high level.

With respect to Rules 2, 4, 7 in situations of existing significant air quality degradation, the Taranaki Regional Council may choose to apply the more stringent requirements of category E to prevent or minimise further degradation.

Amount of sulphur dioxide emissions

- 18 For liquid or solid fuels, including untreated wood, the calculations of chimney height are based on the maximum sulphur content of any fuel to be burned. The minimum sulphur content allowed will be 0.5%. For processes receiving mixed fuels, the calculations of chimney height are based on 1% sulphur in the absence of further consideration of fuel types.

- 19 The amount of sulphur dioxide likely to be emitted will be calculated as follows.

Where the maximum rate at which coal or other solid fuel is burnt is W thousand kg/hour and the sulphur content of the fuel is S percent, the weight of sulphur dioxide emitted in the flue gas should be taken as 18 WS kg/hour, since about 10 per cent of the sulphur is retained in the ash. As an example, the average sulphur content of coal is 1.6 per cent. A plant burning coal of sulphur content 1.6 per cent at a maximum rate of 4,000 kg/hour emits 115 kg/hour sulphur dioxide.

Where the maximum rate at which oil is burnt is W thousand kg/hour and its sulphur content is S per cent, the weight of sulphur dioxide emitted in the flue gas should be taken as 20 WS kg/hour. The average sulphur content of residual fuel oil used in boiler plant is about 3 per cent. One tonne of oil may be taken to contain 1050 litres.

Calculation of uncorrected chimney heights (excluding combustion sources using natural gas and manufactured gas)

- 20 When it has been decided into which of the categories the surrounding district falls, reference is then made to the relevant chart in Figures 1-4 which relate to various mass emission rates of sulphur dioxide in discharges. A line starting from the relevant sulphur dioxide emission on the left hand side of the appropriate chart and projected through the points A, B, C, D, or E (representing the category into which the district falls) will indicate on the right hand side of the chart the appropriate uncorrected chimney height. In case of an oil-fired plant, 10% should be added to the uncorrected chimney height in order to allow for the average reduction in thermal lift compared with that of a similar emission of sulphur dioxide from coal firing.

Example 1

A new chimney is needed for a plant burning coal and emitting 127 kg sulphur dioxide per hour. What is the uncorrected chimney height in a district category C and district category E?

Reference to Figure 3 will show that the respective uncorrected chimney heights are 33 metres and 38.5 metres.

Calculation of uncorrected chimney heights for combustion sources using natural gas and manufactured gas

- 21 For combustion processes using gas fuel at a rate less than 5MW, the height of the building containing the furnace, or buildings within 30 metres will be taken as the "uncorrected chimney height", and the nomograph of Figure 6 or 3 metres (whichever is the greater) will be used to reach the "final chimney height", as described in paragraph 25 below. No correction will be required for taller buildings 30 metres or more distant.

For combustion sources or aggregates of sources of 5 MW or more, uncorrected chimney heights are as follows:

Heat Release (MW)	Uncorrected Chimney Height (Metres)
5-6	5
>6-8	7
>8-10	9
>10-12	12
>12-15	15

Calculation of final chimney height

- 22 The calculation of final chimney height may involve a 'correction' of the uncorrected chimney height. The correction is partly based on the ratio between the greatest length and the height of the building to the roof ridge, since the relationship between the greatest length and height influences the effect of downdraughts.
- 23 An uncorrected chimney height that is not less than 2.5 times the height of the building to which the chimney is attached or of any other building that is within the immediate vicinity ie: within a distance of less than 5 times the roof ridge height of that building, does not need to be corrected to allow for the effect of the building(s). In that case, the final chimney height is the same as the uncorrected chimney height, and no further calculation is necessary.
- 24 Corrections for the effects of buildings are, however, necessary when the uncorrected height is less than 2.5 times the height of such buildings. In these cases, the chimney should be regarded as being attached to an infinitely long building whose height is the average level of the roof tops in the immediate vicinity (as defined in paragraph 23).
- 25 Reference is then made to the chart in Figure 5, or in the case of gas fired processes, to Figure 6. A line starting from the relevant uncorrected chimney height on the left hand side is produced through the point representing the building height to the reference line. From this point on the reference line, another line produced through a point representing the height of the building or its greatest length, whichever is lower, will indicate on the right hand side of the chart the final chimney height, subject to any adjustment that may be necessary to ensure that this is never less than 3 metres above the ridge of the building, nor less than the uncorrected chimney height.

Example II

A chimney whose uncorrected height is 37 metres is attached to a building 31 metres in height to the ridge of the roof; what will the final chimney height have to be if the maximum width of the building is (a) 31 metres or more, (b) 15 metres, and (c) 6 metres? Reference to Figure 5 will show the three cases represented by dotted lines and the corresponding final heights are 52 metres, 43 metres and 38 metres.

Example III

A chimney whose uncorrected height is calculated as 18 metres is associated with a building 24 metres in height to the ridge of the roof; what should the final chimney height be if the maximum width of the building is (a) more than 24 metres, (b) 9 metres? Reference to Figure 5 will show the corresponding final heights to be 34 metres and 25 metres. The final heights are therefore 34 metres and 27 metres respectively, since they must be at least 3 metres above the ridge of the roof.

Note: *Any height controls or restrictions contained in District Plans will also need to be complied with.*

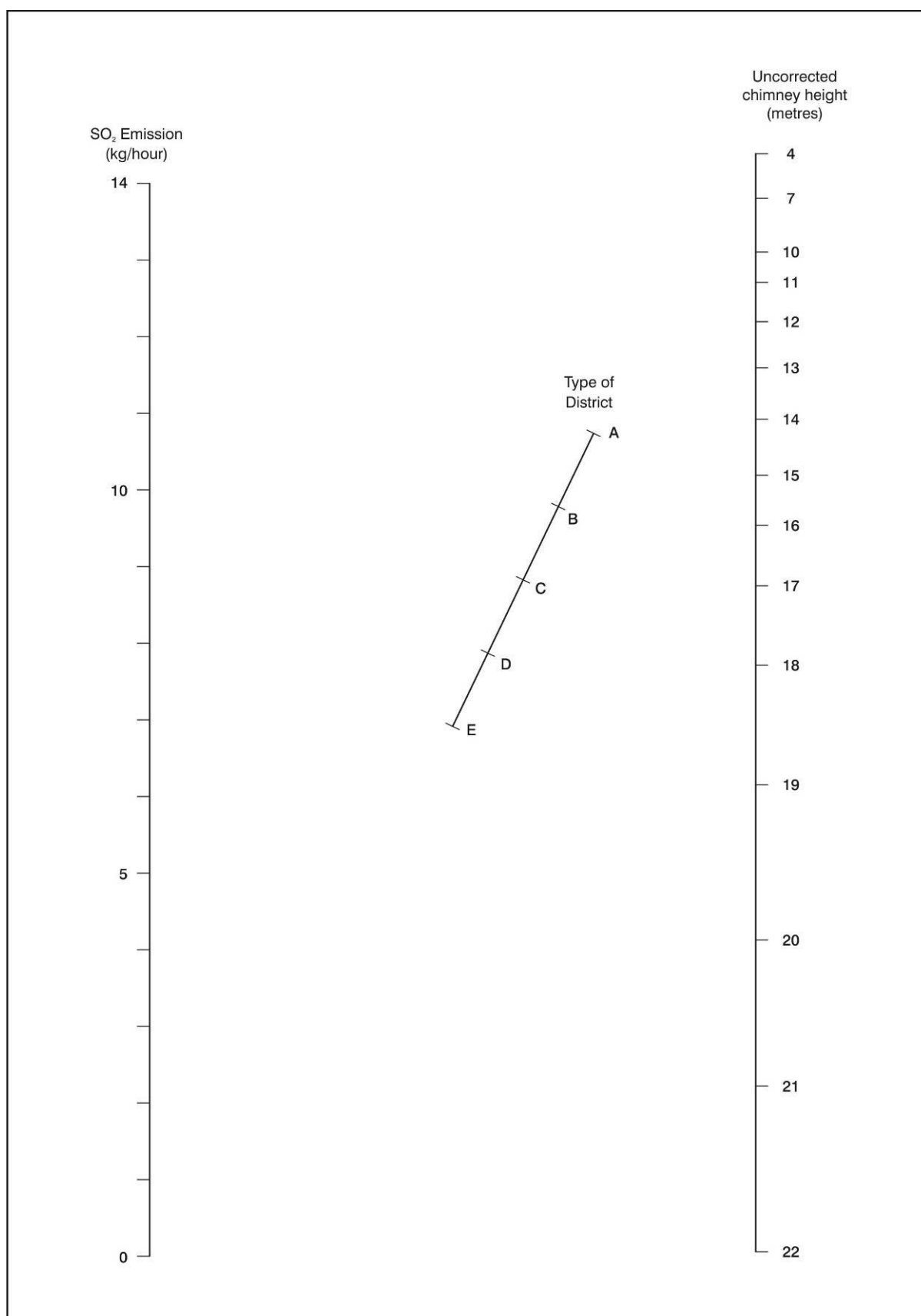


Figure 1: Uncorrected chimney heights for very small discharges of sulphur dioxide (up to 14 kg / hour)

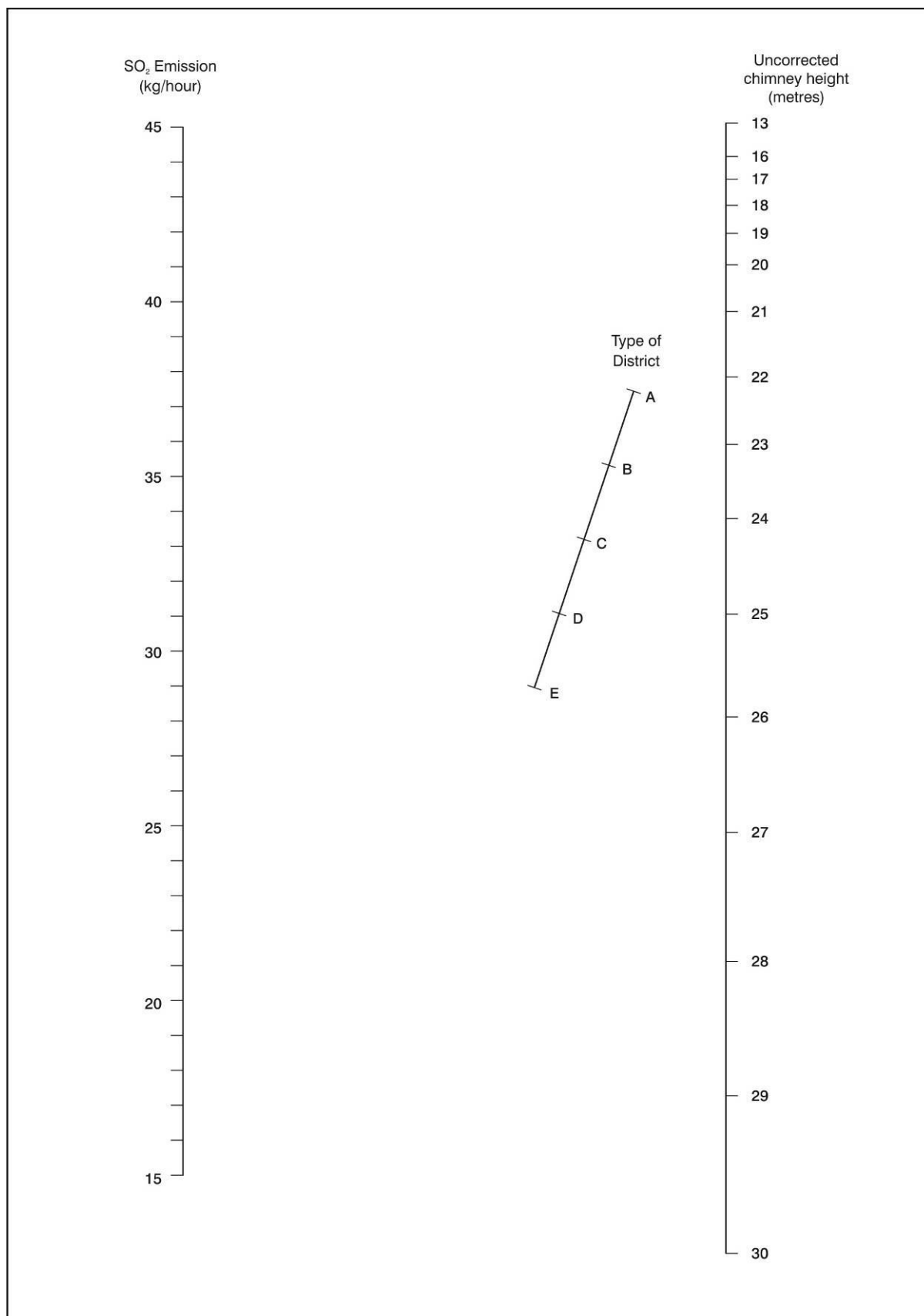


Figure 2: Uncorrected chimney heights for small discharges of sulphur dioxide (15 – 45 kg / hour)

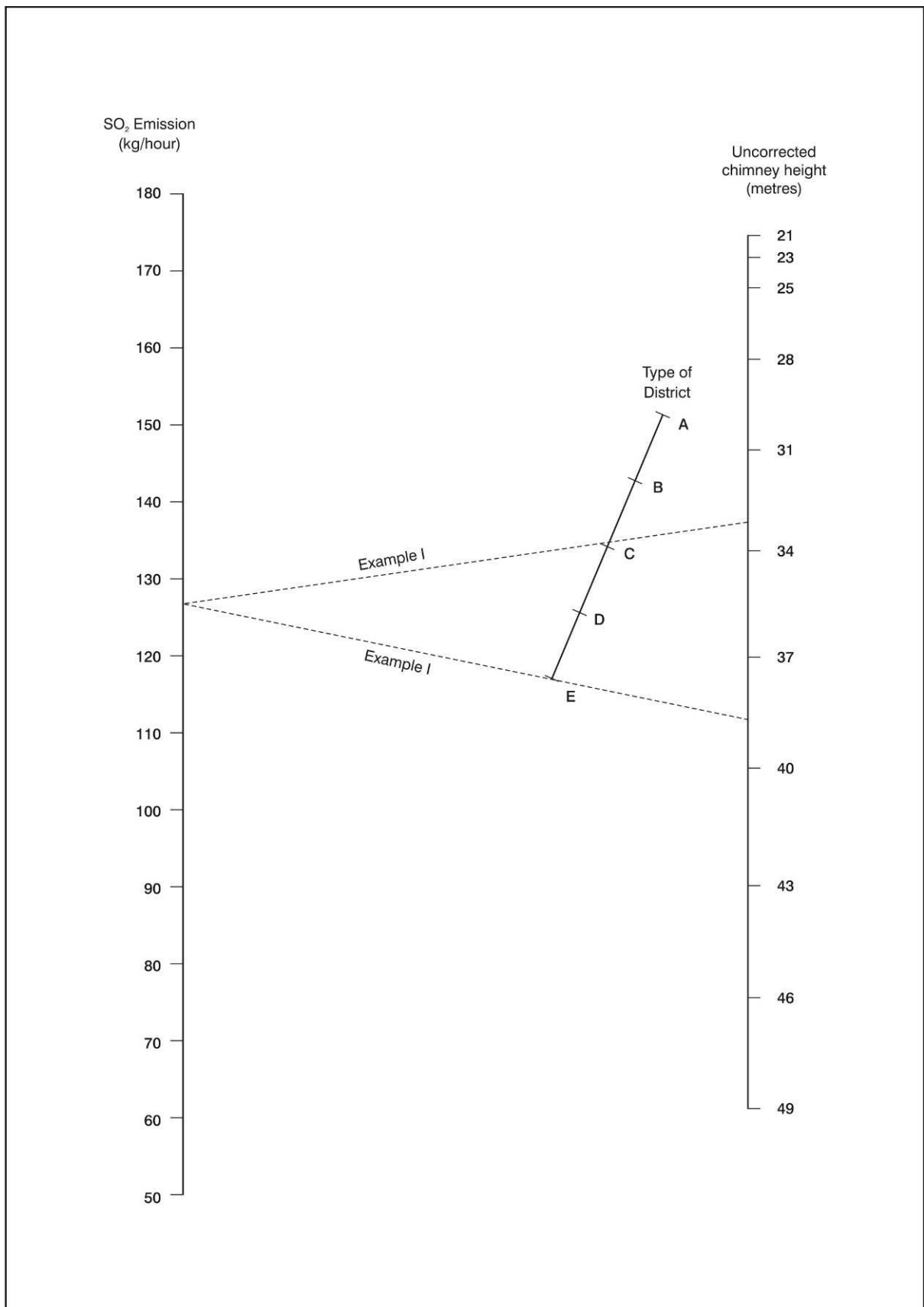


Figure 3: Uncorrected chimney heights for medium discharges of sulphur dioxide (50 – 180 kg / hour)

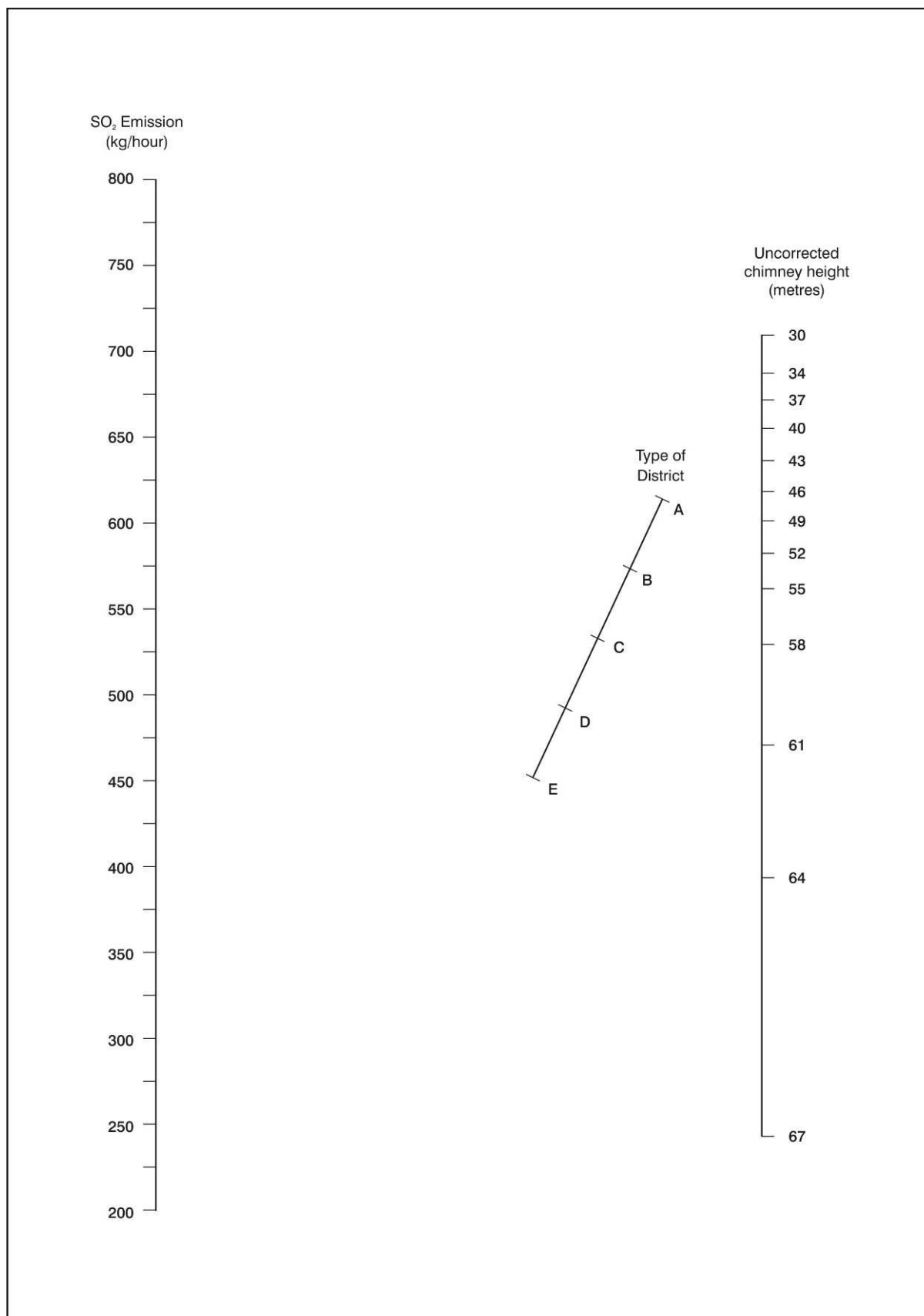


Figure 4: Uncorrected chimney heights for large discharges of sulphur dioxide (200 – 800 kg / hour)

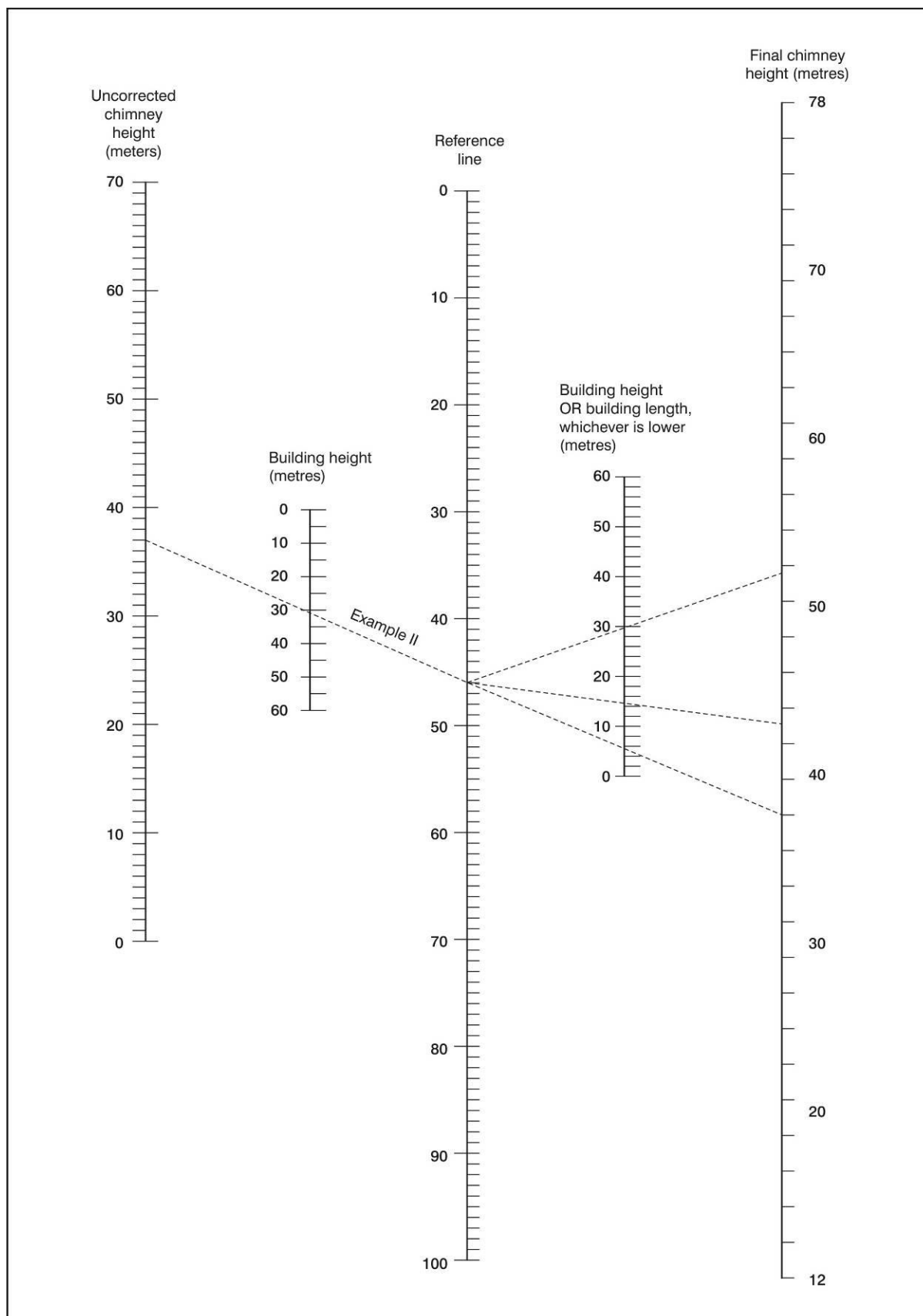


Figure 5: Final chimney heights

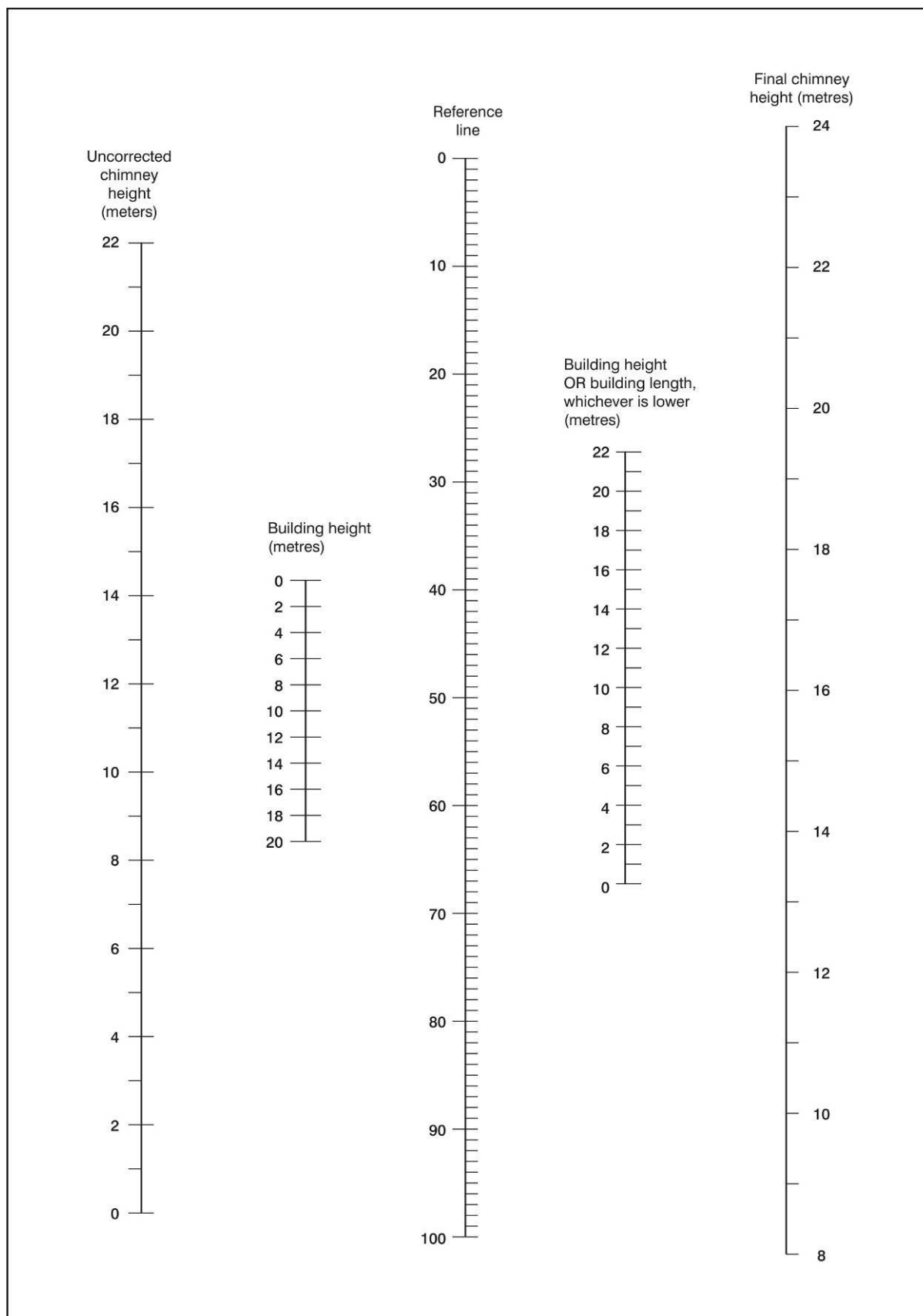


Figure 6: Final chimney heights for gas-fired processes

Appendix IX: Good management practices to prevent or minimise the discharge of smoke from burning vegetation

Appendix IX: Good management practices to prevent or minimise the discharge of smoke from burning vegetation

- Consider alternatives to burning – e.g. mulching for recovery of nutrient value, drying for recovery as firewood.
- Vegetation that is to be burned (such as trimmings, pruning or fellings cut from active growth) should as a general guide be allowed to dry to brown appearance prior to burning.
- Except for tree stumps or crop stubble, the place of combustion should be at least 50 metres from any road other than a highway, and 100 metres from any highway or dwellinghouse on a neighbouring property or national park boundary.
- Due regard should be given to direction and strength of wind, and quantity and state of vegetation to be combusted, prior to initiating combustion.
- In the case of vegetation previously treated by spray with any agrichemical, any manufacturer's instructions as on the label of any container in respect of the burning of treated vegetation must be observed.
- Two days' fine weather should be allowed prior to burning.
- Vegetation should be stacked loosely rather than compacted.
- A small fire, started with the driest material, with further material continually fed onto it once it is blazing, is preferable to a large stack ignited and left unattended.

Note: Rule 61 applies

Refer also to the local rural fire authority.

Appendix X: Statutory acknowledgements

Appendix XA: Statutory acknowledgements

Statutory acknowledgements

A statutory acknowledgement is a means by which the Crown has formally acknowledged the statements made by the iwi of the particular cultural, spiritual, historical, and traditional association of the iwi with the statutory areas.

The purposes of statutory acknowledgements are—

- (a) to require consent authorities, the Environment Court and the Historic Places Trust to have regard to the statutory acknowledgements;
- (b) to require relevant consent authorities to forward summaries of resource consent applications for activities that would affect the area to which the statutory acknowledgement applies to the governance entity; and
- (c) to enable the governance entity and any member of the relevant iwi to cite a statutory acknowledgement as evidence of the association of the iwi with the area to which the statutory acknowledgement relates.

Consent authorities must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of the Resource Management Act 1991 as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.

The limitations on the effect of statutory acknowledgements are, that except as expressly provided in the deed of settlement legislation,—

- (a) statutory acknowledgements do not affect, and are not able to be taken into account by, any person exercising a power or performing a function or duties under any statute, regulation or bylaw;
- (b) no person, in considering a matter or making a decision or recommendation under any statute, regulation or bylaw, may give greater or lesser weight to the association of the iwi with a statutory area than that person would give under relevant statute, regulation or bylaw if a statutory acknowledgement did not exist;
- (c) statutory acknowledgements do not affect the lawful rights or interests of a person who is not a party to the deed of settlement or have the effect of granting, creating or providing evidence of an estate or interest in, or any rights relating to a statutory area.

Attachment of statutory acknowledgements in accordance with iwi deeds of settlement relating to the Taranaki region

To date, seven statutory acknowledgements apply to the Taranaki region – these relate to the **Ngati Ruanui, Ngati Tama, Ngaa Rauru Kiitahi, Ngāti Mutunga, Taranaki, Ngāruahine and Te Atiawa** deeds of settlement. Information on each statutory acknowledgement, including maps showing the locations of the statutory acknowledgements for these iwi are presented below.

Details of the statutory areas for each iwi are included in the relevant regional plan, and more information on each statutory acknowledgement is contained in the relevant iwi deed of settlement legislation.

Appendix XB: Ngati Ruanui statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 93 of the Ngati Ruanui Claims Settlement Act 2003, information recording statutory acknowledgements is hereby attached to the *Regional Policy Statement for Taranaki*. The information includes relevant provisions of Subpart 5 of Part 5 of the Ngati Ruanui Claims Settlement Act 2003 in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

2. Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Otoki Gorge Scenic Reserve (Schedule 5 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Te Moananui A Kupe O Ngati Ruanui (Schedule 6 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Tangahoe River (Schedule 7 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Whenuakura River (Schedule 8 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Patea River (Schedule 9 Ngati Ruanui Claims Settlement Act 2003)

The locations of the above areas are shown in Figure 3 below.

2.1 Statutory acknowledgement for Otoki Gorge Scenic Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Otoki Gorge Scenic Reserve, as shown on Figure 3.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Otoki Gorge scenic reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Otoki Gorge Scenic Reserve

The Pukemoko Pa site is located within the Otoki Gorge scenic reserve, which can be found within the area of Whakamara. It was within this pa that Wharematangi, a Rangatira of Ngati Hine (a close fighting ally of Hanataua of Tangahoe), resided before joining Hanataua in his battles with Waikato and Te Rauparaha of Ngati Raukawa.

The pa was a large ridge pa, which had general usage. Its strategic geographical position made it ideal as a fortified village. During the time of warfare, sharp contoured hills, thick underbrush, hidden man-made traps, and skilled warriors knowledgeable in the surrounding rugged terrain made life a misery for those who attempted to conquer the pa. In modern times, this manner of warfare is commonly recognised as "guerrilla tactics".

Within the surrounding valleys, the richness of the soil and waterways provided an abundance of food (birds, animals, fish), building materials, and materials for clothing, gardening, and warfare. Otoki was also used as one of the sites for gathering in times of peace.

The pa remains one of the areas where the footsteps of our Tupuna remain pristine. The area remains uncut, uncultivated, and in its unspoiled state. It is a remote place where the people would be able to sit and reflect on the life of their ancestors sensing the Ihi (power), Wehi (fear), and the Mauri (life force) emanating from the land.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Otoki Gorge scenic reserve, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Otoki Gorge scenic reserve, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Otoki Gorge Scenic Reserve for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Otoki Gorge Scenic Reserve described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Otoki Gorge Scenic Reserve.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Otoki Gorge Scenic Reserve.
- (4) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Otoki Gorge scenic reserve.

2.2 Statutory acknowledgement for Te Moananui A Kupe O Ngati Ruanui

Statutory area

The area to which this statutory acknowledgement applies is the area known as Te Moananui A Kupe O Ngati Ruanui (coastal area) as shown on Figure 3.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui (coastal area) as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui

The resources found within Te Moananui A Kupe have, since time immemorial, provided the people of Ngati Ruanui with a constant supply of food resources. The hidden reefs provided koura, paua, kina, pupu, papaka, pipi, tuatua, and many other species of reef inhabitants. Hapuka, moki, kanae, mako, and patiki swim freely between the many reefs that can be found stretching out into the spiritual waters of Te Moananui A Kupe and along the Ngati Ruanui coastline.

Names such as Rangatapu, Ohawe, Tokotoko, Waihi, Waokena, Tangahoe, Manawapou, Taumaha, Manutahi, Pipiri, Kaikura, Whitikau, Kenepuru, Te Pou a Turi, Rangitawhi, and Whenuakura depict the whereabouts of either a fishing ground or fishing reef.

All along the shoreline from Rangatapu to Whenuakura food can be gathered, depending on the tides, weather, and time of year.

Tragedies of the sea are also linked to these reefs. Ngati Ruanui oral history records the sinking off Tangahoe of a Chinese trade ship that had just been loaded with a cargo of flax. When the bodies were recovered and brought to shore, none of them had any eyes.

The people of Ngati Hine believe that they did something wrong and in turn were punished by the Ngati Ruanui taniwha named Toi, kaitiaki (guardian) of the fishing reefs and grounds, who is renowned to this day to eat the eyes of his victims.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to Te Moananui A Kupe O Ngati Ruanui, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui, as provided for in section 95.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Te Moananui A Kupe O Ngati Ruanui.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, Te Moananui A Kupe O Ngati Ruanui.
- (4) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of Te Moananui A Kupe O Ngati Ruanui.

2.3 Statutory acknowledgement for Tangahoe River

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Tangahoe River, as shown on Figure 3.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Tangahoe River as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Tangahoe River

Ngati Ruanui history informs us that the people of the Kahui Maunga (mountain people of the highest rank) inhabited the South Taranaki area prior to the arrival of the Aotea Waka. They in turn were vanquished and enveloped through warfare and intermarriage into the Aotea, Ruanui-a Pokiwa history. One of the areas in which these people were renowned to have flourished is known as the Tangahoe River and valley.

The late Ueroa (Charlie) Ngarewa, an elder of both Tangahoe and Ngati Hine descent, gave one version of the origin of the name Tangahoe. He said the name Tangahoe was given to the river because of an incident that occurred, in which the steering oar was lost from a large deep-sea fishing waka as it attempted to return to the Tauranga waka. The comment was made that "if there were 2 steering oars like that of the Waka Tipua of Turi Ariki, then the flight to its resting place would remain true." Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

Tangahoe: the steering oars of Turi Ariki

The Tangahoe River has been a major supply of food and water resources to its people both prior to, and since, the arrival of the Aotea Waka. The valley, like the rest of the southern lands, was a fertile paradise. Because of the mild temperatures, it was without extremes and promoted lush vegetation that was checked only by the occasional equinoctial weather patterns. Birds such as manunui (which made its nests amongst the koromiko bushes), kereru (the food of nga Ariki), pukeko (the treasured species brought on the Aotea Waka), tiwaiwaka (the guardian left by Kupe), kahu (the sentinel), kakapo, kiwi, korimako, miromiro (the custodians of the forest), and pipiwharau (the herald of the new year) flourished in the berry-filled trees, like the koromiko, kohia, hinau, pipiriri, mamaku, and rewarewa at the side of the eel- and koura-filled creeks. Fish, such as the piharau, kokopu, tunaheke, patiki, and shellfish, were abundant in the waters and on the reefs at the mouth of the river.

During the time of internal warfare, the valley through which the river runs was a trap for the unwary. The many re-entrants and secondary valleys provided natural hiding and attacking areas and, if necessary, places of refuge.

To the people of Ngati Ruanui, all the rivers and their respective valleys are of the utmost importance because of their physical, spiritual, and social significance in the past, present, and future.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Tangahoe River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Tangahoe River as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Tangahoe River for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—

- (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Tangahoe River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Tangahoe River.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
 - (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Tangahoe River.
 - (4) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Tangahoe River.

2.4 Statutory acknowledgement for Whenuakura River

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, as shown on Figure 3.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Whenuakura River as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Whenuakura River

The name of this river originated during the time of Turi Arikini, Kaihautu of the Waka Tipua Aotea, and his wife Rongorongo Tapairu. They lived with their families between the two rivers, Patea nui a Turi and Whenuakura. Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

Whenuakura: the land belonging to the people of high rank

Like the Tangahoe River, this river provided the people of the Aotea Waka, and later the people of Ngati Hine and Ngati Tupito, with all the resources of life they required to survive.

The valley through which the river flowed provided multiple bird life, animals, clothing, building, gardening, and warfare implements, as well as places where social activities, fishing, and waka racing could take place. Sporting activities took place within and outside the surrounding forests. There were also places that Tohunga, Rangatira, and other whanau/hapu/iwi representatives used for burial, washing, baptising, and special activities. It was a place where people would go to find peace within themselves.

This river, like the others within the rohe, will always be an integral part of the social, spiritual, and physical lifestyle of the Ngati Ruanui people.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Whenuakura River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and

- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Whenuakura River as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Whenuakura River for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) no person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Whenuakura River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Whenuakura River.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Whenuakura River.
- (4) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui or the governance entity in respect of the Whenuakura River.

2.5 Statutory acknowledgement for Patea River

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Patea River (excluding Lake Rotorangi), as shown on Figure 3.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River

The full name of this river is Patea nui a Turi. It was named by Turi on his arrival overland after leaving the Aotea Waka at Kawhia. The name Patea was given by Turi Ariki when, upon seeing nga kaitiaki (the guardians) left by Kupe as guides for him and his family, he exclaimed ``Ka Patea tatou" - we have arrived at Patea.

Since that arrival, the river has played an important part in the lifestyles of the Aotea people. The riverbanks have provided the soil for the gardens of Rongorongo Tapairu called Hekeheke I papa, the karaka grove called Papawhero, and the spring of life of Turi and Rongorongo called Parara-ki-te-Uru.

The source of the Patea River is on the mountain Rua Taranaki and is called Whakapou Karakia. Whakapou Karakia can be found upon the mountain Rua Taranaki within the rohe of Ngati Ruanui.

Upon the arrival of the Aotea people to South Taranaki from Kawhia, Turi Ariki at Te Pou a Turi laid claim to the surrounding territory and the river, which until then has been known as ``Te Awa o Taikehu", as belonging to him and his descendants. Upon completing the respective rituals to protect the newly gained lands from unwanted entities, he then proceeded to spiritually purify the rest of the area.

The newly claimed river, because of its spiritual and life-giving resources, was then traversed and spiritual Kaitiaki sown in every location that was to become significant to the people of the Aotea Waka along the total length of the river. These purifying rituals continued to the source of the river on the mountain. It was at this

locality upon the mountain that the final Karakia of protection was performed to unite all the Kaitiaki as one in the protection of the waters and resources pertaining to the river, hence—

whaka:	to do
pou:	pillar of strength
karakia:	invocation

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Patea River, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Patea River for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Patea River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Patea River.
- (4) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Patea River.

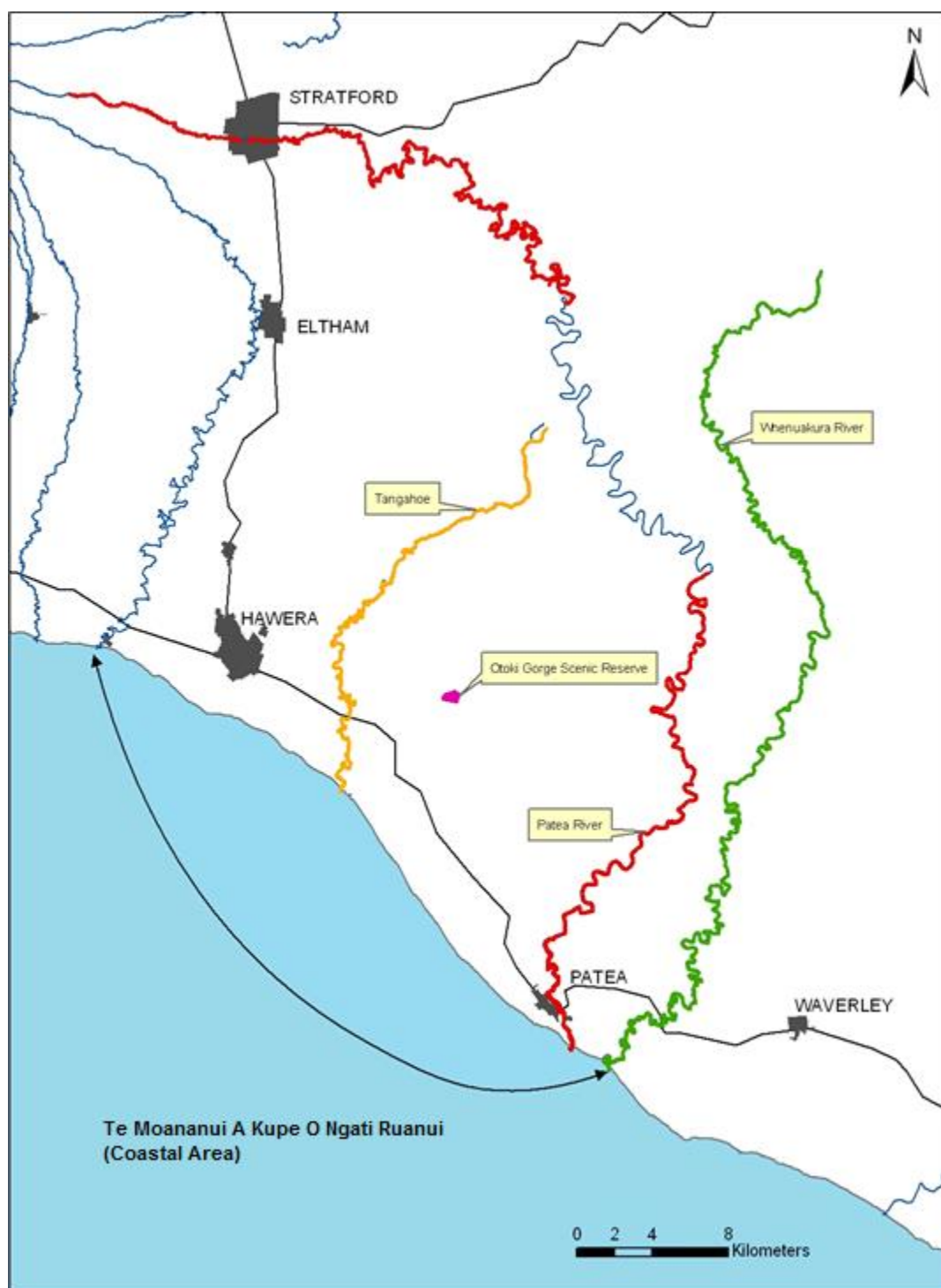


Figure 3 Location of statutory acknowledgements for Ngati Ruanui

Appendix XC: Ngati Tama statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 58 of the Ngati Tama Claims Settlement Act 2003, information recording statutory acknowledgements is hereby attached to the *Regional Policy Statement for Taranaki*. The information includes relevant provisions of Subpart 4 of Part 5 of the Ngati Tama Claims Settlement Act 2003 in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

2. Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for part of Mimi-Pukearuhe coast marginal strip (Schedule 3 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for part of Mount Messenger conservation area in Ngati Tama area of interest (Schedule 4 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Moki conservation area (Schedule 5 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Tongaporutu conservation area (Schedule 6 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino swamp conservation area (Schedule 7 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Pou Tehia historic reserve (Schedule 8 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino River (Schedule 9 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Tongaporutu River (Schedule 10 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino River (No 1) marginal strip (Schedule 11 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino River (No 2) marginal strip (Schedule 12 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for Mohakatino coastal marginal strip (Schedule 13 Ngati Tama Claims Settlement Act 2003)
- Statutory Acknowledgement for coastal marine area adjoining the Ngati Tama area of interest (Schedule 14 Ngati Tama Claims Settlement Act 2003).

The locations of the above areas are shown in Figure 4 below.

2.1 Statutory acknowledgement for part of Mimi-Pukearuhe coast margin strip

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as part of the Mimi-Pukearuhe coast marginal strip, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with part of Mimi-Pukearuhe coast marginal strip as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with part of Mimi—Pukearuhe coast marginal strip

This is an area of high historic importance to Ngati Tama and contains some significant pa sites, including Titoki, Whakarewa, Otumatua, and Pukearuhe.

The Papatiki stream is located in the area. It is tapu to Ngati Tama because of the way in which it was used by northern invaders after a battle in pre-Pakeha times.

There remain important kaitiaki links to the patiki (flounder/sole) and tamure (snapper) breeding grounds, as well as other fish resources.

A very important feature of the area is the presence of high papa rock cliffs. A unique fishing method was developed by Ngati Tama, using the ledges hewn out by nature at the bottom of these cliffs. Mako (shark), tamure, and arara (trevalli) were caught off these ledges in abundance.

Koura (freshwater crayfish), kutae (mussels), kina (sea eggs), paua, and other resources also contributed to a reliable and plentiful supply of fish in season from the area. Ngati Tama developed a number of different ways of preserving these supplies for later consumption, using every part of the fish. This tradition has survived and continues to be used by Ngati Tama as a form of aroha koha (reciprocal contribution) at special hui.

Where the cliffs incline to sea level, there are a number of tauranga waka (canoe berths) formerly used for fishing canoes. These have special significance to Ngati Tama in their identification with the area as physical symbols of an historical association with it.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to part of the Mimi-Pukearuhe coast marginal strip, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with part of the Mimi-Pukearuhe coast marginal strip, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Mimi-Pukearuhe coast marginal strip for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- 1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, part of the Mimi-Pukearuhe coast marginal strip; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the part of the Mimi-Pukearuhe coast marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of that part of the Mimi-Pukearuhe coast marginal strip.
- 2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of part of the Mimi-Pukearuhe coast marginal strip.

2.2 Statutory acknowledgement for part of Mount Messenger conservation area in Ngati Tama area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the part of the Mount Messenger conservation area in the Ngati Tama area of interest, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest

This is an important area containing Ngati Tama pa sites and mahinga kai sources of birds and fish.

The once great Katikatiaka Pa was located here, inhabited by the descendants of Uerata, who were among the fighting elite of Ngati Tama. It was an important vantage point, built in 2 divisions, and extending to the seaward clifftops. Tihi Manuka, a refuge pa, also situated in the area, was directly connected to an important inland track.

Kiwi, kahurangi, kereru, eels, inanga, and the paua slug were traditional resources found here. Papa clay types found here were used for dyeing muka. A range of temperate zone flora was also available to Ngati Tama from this area, including beech, rata, rimu, and a variety of ferns. Important mahinga kai streams include Te Horo, Ruataniwha, Waipingao, and Waikaramarama.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the part of the Mount Messenger conservation area in the Ngati Tama area of interest, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- 1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the part of the Mount Messenger conservation area in the Ngati Tama area of interest; and

- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the part of the Mount Messenger conservation area in the Ngati Tama area of interest described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the part of the Mount Messenger conservation area in the Ngati Tama area of interest.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the part of the Mount Messenger conservation area in the Ngati Tama area of interest.

2.3 Statutory acknowledgement for Moki conservation area

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Moki conservation area, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Moki conservation area, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Moki conservation area

This area is important to Ngati Tama for the inland walking track that Ngati Tama used to travel overland to Wanganui and an alternative route from the coast to neighbouring iwi. This area also contains a pa site, the Tihi Manuka pa, of importance to Ngati Tama.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, and the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Moki conservation area, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Moki conservation area, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Moki conservation area for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—

- (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Moki conservation area; and
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Moki conservation area described in this statutory acknowledgement than

that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Moki conservation area.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Moki conservation area.

2.4 Statutory acknowledgement for Tongaporutu conservation area

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Tongaporutu conservation area, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu conservation area, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu conservation area

Te Umukaha Pa was another important defence link in this area in the chain of Ngati Tama fighting pa along the coast. Close by, on the opposite bank, stood the mighty Pukeariki, which served as a refuge for the local people in times of war. Pukeariki was also an important beacon point in the coastal network. Beacon fires were lit at strategic points along the coast to carry prearranged messages between settlements.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Tongaporutu conservation area, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Tongaporutu conservation area, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Tongaporutu conservation area, for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—

- (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Tongaporutu conservation area; and
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Tongaporutu conservation area described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Tongaporutu conservation area.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Tongaporutu conservation area.

2.5 Statutory acknowledgement for Mohakatino swamp conservation area

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino swamp conservation area, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino swamp conservation area, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino swamp conservation area

This is an area that has many significant wahi tapu. It is also valuable to Ngati Tama due to it being an historical garden area where the cultivation of taewa (potato varieties) and kumara (sweet potato) was a specialist activity. The garden kaitiaki were the local people from Pa Hukunui and Pukekarirua. The area was also used by Ngati Tama for access to mahinga kai and cultivation of other crops.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino swamp conservation area, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino swamp conservation area, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Mohakatino swamp conservation area for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—

- (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
 - (iii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino swamp conservation area described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino swamp conservation area.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino swamp conservation area.

2.6 Statutory acknowledgement for Pou Tehia historic reserve

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Pou Tehia historic reserve, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Pou Tehia historic reserve, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Pou Tehia historic reserve

Pou Tehia Pa was one of two significant Ngati Tama fighting pa on the banks of the Tongaporutu. The other pa was the mighty Pukeariki Pa, which provided refuge for the occupants of the area in time of war, as well as being the lookout and beacon point in the Ngati Tama network of coastal strongholds.

On the northern bank of the Tongaporutu, Umukaha Pa and Omaha Pa formed part of that defence network.

Many urupa (burial sites) are to be found on both sides of the river. These provided the last resting places for the communities and their defenders.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Pou Tehia historic reserve, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Pou Tehia historic reserve, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Pou Tehia historic reserve for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- 1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Pou Tehia historic reserve; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Pou Tehia historic reserve described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Pou Tehia historic reserve.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Pou Tehia historic reserve.

2.7 Statutory acknowledgement for Mohakatino River

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino River, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River

The Mohakatino River has great significance for Ngati Tama, being the landing place of the Tokomaru waka and the original site of Ngati Tama residence. Marae-Rotohia, for centuries the ancient house of learning of Tokomaru descendants, was established in this area by Rakeiora, one of the Tokomaru waka chiefs and tohunga (specialist in traditional knowledge), and faithfully guarded by Ngati Tama during their dominion.

Te Rangihiroa wrote in loving recollection of his kuia Kapuakore's stories about the area:

"On the edge of the sand lapped by the sea which watched over Poutama since the beginning, stands the rock Paroa where 10 Ngati Tama gaily fishing with their faces turned to the sea marked not the mustering 'taua' [war party] gathering on the beach behind until the rising tide waist-high upon the rock forced them to turn. I verily believe that Pakeha would have drowned themselves, but the naked and unarmed N'Tama grasping the stone sinkers of their lines unhesitatingly waded ashore and fought like war-gods so that relatives in the 'taua' in thrusting, let their spears go. The flying weapons were promptly caught in mid-air and to the valiant ten were armed and slew and slew beneath the shining sun until the enemy were put to flight."

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino River, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino River, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Mohakatino River for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- 1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino River; and

- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino River.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino River.

2.8 Statutory acknowledgement for Tongaporutu River

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Tongaporutu River, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu River, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Tongaporutu River

This area can be considered part of the heart of Poutama country, to whose fighting fame some notable Ngati Tama warriors contributed. It was the battleground of many a hostile incursion from the north, located between Te Umukaha Pa and Omaha Pa. On the southern bank of the Tongaporutu stood Pou Tehia Pa. A little westward on the headland stood Pukeariki Pa and offshore was Te Kaeaea's island pa, Pa Tangata.

The proximity and quantity of sea and forest resources, the abundance of river and agricultural produce, the subtropical climate, and relatively protected river inlet was a paradise for the closely linked coastal population. Among the most famous of the area was Te Kaeaea, also known as Taringa Kuri, and brother of Te Puoho, their parents being Whangataki II and Hinewairoro, both of whom trace their lineage back to the Tokomaru.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Tongaporutu River, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Tongaporutu River, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Tongaporutu River for inclusion in a deed of settlement.

Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—

- (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Tongaporutu River; and
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Tongaporutu River described in this statutory acknowledgement than that person would

give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Tongaporutu River.

2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Tongaporutu River.

2.9 Statutory acknowledgement for Mohakatino River (No 1) marginal strip

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino River (No 1) marginal strip, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 1) marginal strip, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 1) marginal strip

This area is near the site of the landing of the Tokomaru waka and the original site of Ngati Tama residence. As a consequence, it holds significant value to Ngati Tama.

The area was also a valuable source of mahinga kai for Ngati Tama. Tuna (eels), inanga (whitebait), and koura (freshwater crayfish) were among the river resources found here. A diverse range of vegetation such as nikau, beech, rata, rimu, and fern varieties provided food and also building and ornamental materials. Kokako, kereru, kiwi, and kaka were significant among the fauna of the area.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino River (No 1) marginal strip, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino River (No 1) marginal strip, as provided for in section 60.

Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino River (No 1) marginal strip; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino River (No 1) marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino River (No 1) marginal strip.
2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino River (No 1) marginal strip.

2.10 Statutory acknowledgement for Mohakatino River (No 2) marginal strip

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino River (No 2) marginal strip, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 2) marginal strip, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino River (No 2) marginal strip

This area is important to Ngati Tama as a mahinga kai reserve. Abundant river resources such as tuna, inanga, and koura were sourced from the area. Forest resources, including the medicinally important kawakawa, were abundant. Kokako, kereru, kiwi, and kaka were key fauna of the area.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino River (No 2) marginal strip, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino River (No 2) marginal strip, as provided for in section 60.

Limitations on effect of statutory acknowledgement

- 1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino River (No 2) marginal strip; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino River (No 2) marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mohakatino River (No 2) marginal strip.
- 2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino River (No 2) marginal strip.

2.11 Statutory acknowledgement for Mohakatino coastal marginal strip

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Mohakatino coastal marginal strip, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino coastal marginal strip, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the Mohakatino coastal marginal strip

Along this beach between the Mohakatino and Mokau Rivers, Ngati Tama engaged in numerous battles with northern iwi. One of these battles was "Nga-tai-pari-rua" in 1815, which, as its name indicates, was fought during 2 high tides.

Because of such battles and the communities in the area, there are a number of urupa (burial sites) of significance to Ngati Tama in the vicinity.

The mataitai resources along this beach are of great value to the tribes associated with them and were often a cause for dispute.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Mohakatino coastal marginal strip as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Mohakatino coastal marginal strip, as provided for in section 60.

Limitations on effect of statutory acknowledgement

1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Mohakatino coastal marginal strip; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Mohakatino coastal marginal strip described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Mohakatino coastal marginal strip.
2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Mohakatino coastal marginal strip.

2.12 Statutory acknowledgement for coastal marine area adjoining the Ngati Tama area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the coastal marine area adjoining the Ngati Tama area of interest, the general location of which is indicated on Figure 4.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest

Te Rangihirua (Sir Peter Buck) wrote of Ngati Tama's renown throughout the country for their fighting prowess. He recorded the words of an unnamed old man:

"[O]ther tribes fought for fat lands, for birds and rat preserves, an aruhe rahui [fernroot reserve] but Ngati Tama fought for the sake of fighting, with a parcel of wet land as take [cause]".

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the coastal marine area adjoining the Ngati Tama area of interest, as provided for in sections 55 to 57; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest, as provided for in section 60.

Limitations on effect of statutory acknowledgement

- 1. Except as expressly provided in subpart 4 of Part 5,—
 - (a) this statutory acknowledgement does not—
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement;
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the coastal marine area adjoining the Ngati Tama area of interest; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the coastal marine area adjoining the Ngati Tama area of interest described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the coastal marine area adjoining the Ngati Tama area of interest.
- 2. Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the coastal marine area adjoining the Ngati Tama area of interest.

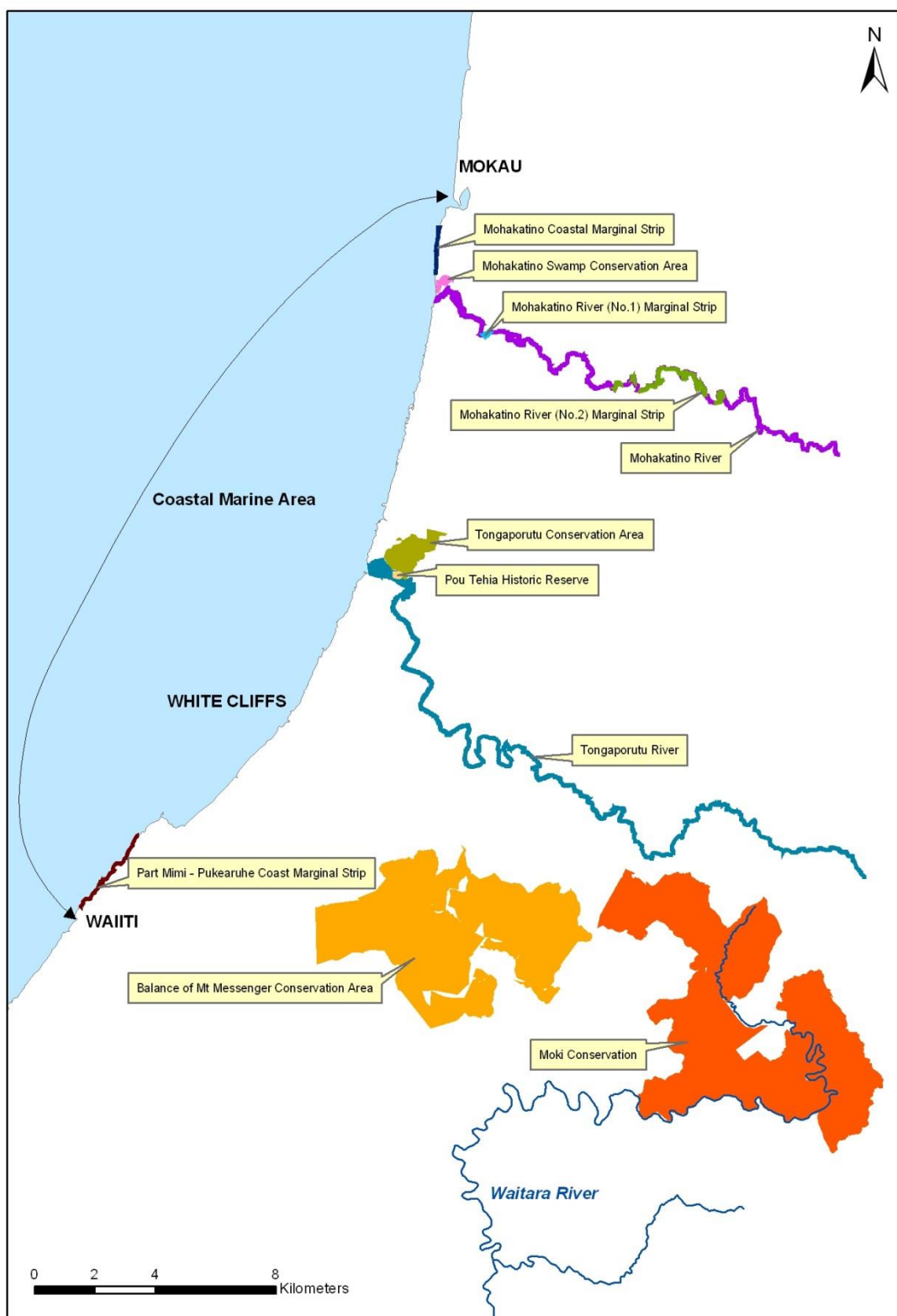


Figure 4 Location of statutory acknowledgements for Ngati Tama

Appendix XD: Ngaa Rauru Kiitahi statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 45 of the Ngaa Rauru Kiitahi Claims Settlement Act 2005, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 4 of the Ngaa Rauru Kiitahi Claims Settlement Act 2005, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

2. Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Nukumarū Recreation Reserve (Schedule 4 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest (Schedule 5 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Hawken's Lagoon Conservation Area (Schedule 6 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Lake Beds Conservation Area (Schedule 7 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for the Patea River (Schedule 9 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Whenuakura River (Schedule 10 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Waitotara River (Schedule 11 Ngaa Rauru Kiitahi Claims Settlement Act 2005)

The locations of the above areas are shown in Figure 5 below.

2.1 Statutory acknowledgement for Nukumarū Recreation Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Nukumarū Recreation Reserve, the general location of which is indicated on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Nukumarū Recreation Reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Nukumarū Recreation Reserve

Waikaramihi is the name given to the marae tawhito that is situated within the Nukumarū Recreation Reserve, on the coast between Waiinu and Tuaropaki. Ngaa Rauru Kiitahi traditionally camped at Waikaramihi from October to March each year. The main food gathering area was between the Waitotara river mouth and Tuaropaki.

The sources of food include kakahi (fresh water mussels), sea mussels, kina, paua, papaka (crabs), karingo (seaweed), and very small octopus stranded in the small rock pools from the receding tides. While Ngāti Maika and Ngāti Ruaiti were the main hapu that used Waikaramihi, all Ngaa Rauru Kiitahi hapu traditionally gathered kai moana in accordance with the values of Ngā Raurutanga.

The Karewaonui canoe (over 100 years old) was until 1987 housed at Waikaramihi and was used by Ngaa Rauru Kiitahi (mainly Ngāti Maika and Ngāti Ruaiti) to catch stingray, shark, snapper, and hapuka about 10

miles off the coast. Karakia were used when Karewaonui was “put to sea”, and an offering of the first fish caught on Karewaonui was always given to the Kaitiaki-o-te-moana.

The area is still significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being nourished.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Nukumarū Recreation Reserve as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Nukumarū Recreation Reserve as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Nukumarū Recreation Reserve (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Nukumarū Recreation Reserve.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Nukumarū Recreation Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Nukumarū Recreation Reserve.

2.2 Statutory acknowledgement for Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Coastal Marine Area adjoining the Ngaa Rauru Kiitahi area of interest, the general location of which is indicated on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Coastal Marine Area adjoining the Ngaa Rauru Kiitahi area of interest as set out below.

Cultural, spiritual, historical, and traditional association of Ngāa Rauru Kīitahi with the Coastal Marine Area adjoining the Ngāa Rauru Kīitahi area of interest

Within this coastal area between Rangitaawhi and Wai-o-Turi Marae is “Te Kiri o Rauru”, the skin of Rauru. Te Kiri o Rauru is an important life force that has contributed to the physical and spiritual well-being of Ngāa Rauru Kīitahi.

Ngāa Rauru Kīitahi used the entire coastal area from Te Awanui o Taikehu (Patea River) to the mouth of the Whanganui River and inland for food gathering, and as a means of transport. The coastal area was a rich source of all kai moana. Ngāa Rauru Kīitahi exercised the values of Ngā Raurutanga in both harvesting and conserving kai moana.

Ngāti Hine Waiata, and Ngāti Tai hapu of the Waipipi (Waverley) area gathered food according to the values of Ngā Raurutanga and kawa along the coast from the Patea River to Waipipi. Along the wider coastal area Rangitaawhi, Pukorokoro, Ngāti Hine, Kairakau, Ngāti Maika, and Manaia hapu of the Patea area gathered food according to the values of Ngā Raurutanga and kawa.

Ngā Ariki, Ngāti Hou Tipua, Ngāti Pourua, Ngāti Hine Waiatarua, Ngāti Ruaiti, and Ngāti Maika gathered food according to the values of Ngā Raurutanga and kawa along the coast from Waipipi to Mowhanau and the Kai Iwi stream.

Tamareheroto (Ngāti Pukeko and Ngāti Iti) exercised food gathering according to the values of Ngā Raurutanga and kawa along the coast from the Okehu stream to the mouth of the Whanganui River, including from the fishing station of Kaihau a Kupe (at the mouth of the Whanganui River). Ngā Kaainga at Kaihau a Kupe included Kaihokahoka (ki tai), Kokohuia (swampy area at Castlecliff), Te Whare Kakaho (Wordsworth St area), Pungarehu/Te Ahi Tuatini (Cobham bridge), Te Oneheke (between Karamu stream and Churton Creek),

Patupuhou, Nukuiro, and Kaierau (St Johns Hill). There are many sites of cultural, historical, and spiritual significance to Ngāa Rauru Kīitahi along the coastal area from the Patea River to the mouth of the Whanganui River. Important kaainga are situated along this coastal area. These include

Tihoi Pa (where Te Rauparaha rested), which is situated between Rangitaawhi and the mouth of the Whenuakura River, Poopoa (Te kaainga a Aohehu), and Te Wai o Mahuku (near Te Ihonga). This coastal area includes outlets of streams and rivers that nourish and sustain Ngāa Rauru Kīitahi, such as Waipipi, Waiinu, Tapuarau Lagoon, the Ototoka Stream, the Okehu Stream, and the Kai Iwi Stream. Other areas of special significance to Ngāa Rauru Kīitahi include Taipake Tuturu, Tutaramoana (he kaitiaki moana), Tuaropaki, and Waikaramihi Marae along the coast from Tuaropaki.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Coastal Marine Area adjoining Ngāa Rauru Kīitahi area of interest as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngāa Rauru Kīitahi to cite this statutory acknowledgement as evidence of the association of Ngāa Rauru Kīitahi with the Coastal Marine Area adjoining Ngāa Rauru Kīitahi area of interest as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāa Rauru Kīitahi with the Coastal Marine Area adjoining Ngāa Rauru Kīitahi area of interest (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this

statutory acknowledgement did not exist in respect of the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest.

2.3 Statutory acknowledgement for Hawkens Lagoon Conservation Area

Statutory area

The area to which this statutory acknowledgement applies is the area known as Hawkens Lagoon Conservation Area, the general location of which is indicated on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area as set out below.

Cultural, spiritual, historical, and traditional association of Ngā Rauru Kiitahi with the Hawkens Lagoon Conservation Area

Tapuarau is the name given to the area at the mouth of the Waitotara River within the Tapuarau Conservation Area. The main hapu of Ngaa Rauru Kiitahi that used Tapuarau included Ngāti Hine Waiatarua, Ngāti Hou Tipua, Ngā Ariki, and Ngāti Ruaiti. Ngaa Rauru Kiitahi has used Tapuarau as a seasonal campsite from where it has gathered mahinga kai in accordance with the values of Ngā Raurutanga. Tapuarau extends from the mouth of the Waitotara River to Pukeone and includes several small lagoons, including Tapuarau Lagoon, which are the source of tuna, flounder, mullet, whitebait, and inanga. During flooding, Ngaa Rauru Kiitahi was able to take tuna as it attempted to migrate from the nearby lagoons to the river mouth. The old marae named Hauriri was also situated in this area.

The area is still significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being is nourished.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Hawkens Lagoon Conservation Area as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Hawkens Lagoon Conservation Area.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Hawkens Lagoon Conservation Area.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Hawkens Lagoon Conservation Area.

2.4 Statutory acknowledgement for Lake Beds Conservation Area

Statutory area

The area to which this statutory acknowledgement applies is the area known as Lake Beds Conservation Area, the general location of which is indicated on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Lake Beds Conservation Area as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Lake Beds Conservation Area

The Lake Beds Conservation Area is located within the Moumahaki Lakes catchment area, and is situated inland above Kohi. These lakes and the surrounding area have great cultural significance for the Ngaa Rauru Kiitahi hapu, predominantly Ngā Ariki.

These lakes were the main food source for those hapu. Temporary kaainga and tuna weir were dotted along some of the lakes. Other food gathered from the lakes included kakahi and koura.

Special varieties of flaxes from around the lakes were used to make tuna traps and clothing.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Lake Beds Conservation Area, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Lake Beds Conservation Area, as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāa Rauru Kītahi with the Lake Beds Conservation Area, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Lake Beds Conservation Area.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Lake Beds Conservation Area.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāa Rauru Kītahi or the governance entity with respect of the Lake Beds Conservation Area.

2.5 Statutory acknowledgement for Patea River

Statutory area

The area to which this statutory acknowledgement applies the area known as Patea River, the general location of which is indicated and described on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngāa Rauru Kītahi of the cultural, spiritual, historical, and traditional association of Ngāa Rauru Kītahi with the Patea River as set out below.

Cultural, spiritual, historical, and traditional association of Ngāa Rauru Kītahi with the Patea River

Ngāa Rauru Kītahi knows the Patea River by the name of Te Awanui o Taikehu. Te Awanui o Taikehu is the life force that has sustained all whānau and hapu of Ngāa Rauru Kītahi who have resided along the banks of the Patea River, and within this area. Ngā hapu o Ngāa Rauru Kītahi who settled along Te Awanui o Taikehu include Rangitaawhi, Pukorokoro, Ngāti Hine, Kairakau, Ngāti Maika I, and Manaia.

There are many pa and kaainga situated along Te Awanui o Taikehu. The Mangaehu Pa is situated near, and nourished by, Te Awanui o Taikehu. Between Te Awanui o Taikehu and the Whenuakura River (Te Aarei o Rauru) are Maipu Pa and Hawaiki Pa. Along the Patea River are Owio, Kaiwaka, Arakirikiri, Ngapapa-tara-iwi, Tutumahoe Pa and kaainga. Further along Te Awanui o Taikehu sits Parikaranga,

Rangitaawhi, and Wai-o-Turi Marae at the mouth of Te Awanui o Taikehu.

Wai-o-Turi Marae, which is situated above the south bank towards the mouth of Te Awanui o Taikehu, is the landing site of Turi (commander of the Aotea Waka) who came ashore to drink from the puni wai, hence the name of the marae, Wai-o-Turi.

Ngāa Rauru Kītahi used the entire length of Te Awanui o Taikehu for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Te Awanui o Taikehu remains significant to Ngāa Rauru Kītahi as a mahinga kai source from which the physical well-being of Ngāa Rauru Kītahi is sustained, and the spiritual well-being nourished.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Patea River, as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Patea River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Patea River.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Patea River.

2.6 Statutory acknowledgement for Whenuakura River

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, the general location of which is indicated and described on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Whenuakura River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Whenuakura River

The Whenuakura River is the life force that sustained all Ngaa Rauru Kiitahi whaanau and hapu that resided along and within its area, and is known by Ngaa Rauru Kiitahi as Te Aarei o Rauru. The area along the Whenuakura River is known to Ngaa Rauru Kiitahi as Paamatangi. One of the oldest known Ngaa Rauru Kiitahi boundaries was recited as “*Mai Paamatangi ki Piraunui, mai Piraunui ki Ngawaierua, mai Ngawaierua ki Paamatangi*”. Ngāti Hine Waiata is the main Ngaa Rauru Kiitahi hapu of Paamatangi.

The Maipu Pā is situated near the western bank of Te Aarei o Rauru. There are many urupa sites and wahi tapu situated along Te Aarei o Rauru. Whenuakura Marae is also located on the banks of Te Aarei o Rauru.

Ngaa Rauru Kiitahi hapu used the entire length of Te Aarei o Rauru for food gathering. Sources of food included tuna, whitebait, smelt, flounder, and sole.

Te Aarei o Rauru remains significant to Ngaa Rauru Kiitahi not only as a source of kai that sustains its physical well-being, but also as a life force throughout the history of Paamatangi and for the people of Ngāti Hine Waiata over the generations.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Whenuakura River, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Whenuakura River, as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Whenuakura River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Whenuakura River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Whenuakura River.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Whenuakura River.

2.7 Statutory acknowledgement for Waitotara River

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Waitotara River, the general location of which is indicated and described on Figure 5.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Waitotara River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Waitotara River

The Waitotara River is the life force that sustains Ngaa Rauru Kiitahi. Many Ngaa Rauru Kiitahi hapu are located either along or near the Waitotara River. These include Ngā Ariki (Waipapa Marae), Ngāti Pourua (Takirau Marae), Ngāti Hine Waiatarua (Parehungahunga Marae), Te Ihupuku Marae, and Ngāti Hou Tipua (Whare Tapapa, Kaipo Marae). Ngāti Hou Tipua (Whare Tapapa, Kaipo Marae) is known by Ngaa Rauru Kiitahi as Te Pu-o-te-Wheke (head of the octopus), or the Ngaa Rauru Kiitahi headquarters.

Ngāa Rauru Kīitahi used the entire length of the Waitotara River for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Historically, Ngāa Rauru Kīitahi also utilised the Waitotara River as a means of transport.

The Waitotara River remains significant to Ngāa Rauru Kīitahi as a symbol of a past mahinga kai source from which the physical wellbeing of Ngāa Rauru Kīitahi was sustained, and the spiritual wellbeing nourished.

Purposes of statutory acknowledgement

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Waitotara River, as provided for in sections 42 to 44; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity as provided for in section 46; and
- (c) to enable the governance entity and members of Ngāa Rauru Kīitahi to cite this statutory acknowledgement as evidence of the association of Ngāa Rauru Kīitahi with the Waitotara River, as provided for in section 47.

Exercise of powers, duties, and functions not affected

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāa Rauru Kīitahi with the Waitotara River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Waitotara River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Waitotara River.

Crown not precluded from granting other statutory acknowledgement

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāa Rauru Kīitahi or the governance entity with respect of the Waitotara River.

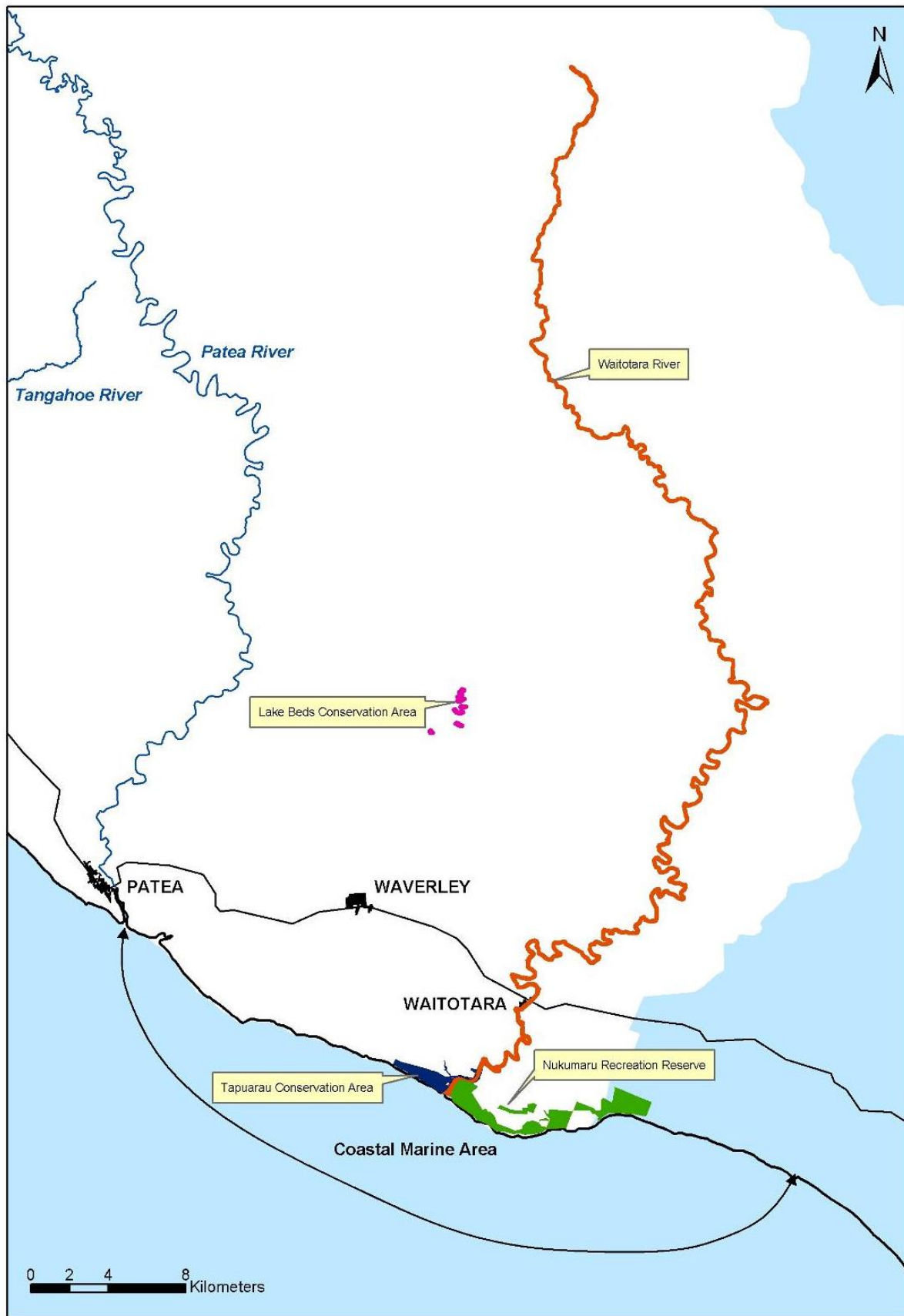


Figure 5 Location of statutory acknowledgements for Ngaa Rauru Kiihi

Appendix XE: Ngāti Mutunga statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 53 of the Ngāti Mutunga Claims Settlement Act 2006, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 2 of the Ngāti Mutunga Claims Settlement Act 2006, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

2. Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Part of Mimi-Pukearuhe Coast Marginal Strip
- Statutory Acknowledgement for Waitoetoe Beach Recreation Reserve
- Statutory Acknowledgement for Mimi Scenic Reserve
- Statutory Acknowledgement for Mimi Gorge Scientific Reserve
- Statutory Acknowledgement for Mataro Scenic Reserve
- Statutory Acknowledgement for Mt Messenger Conservation Area within the area of interest
- Statutory Acknowledgement for Taramoukou Conservation Area
- Statutory Acknowledgement for Onaero River Scenic Reserve
- Statutory Acknowledgement for Onaero Coast Marginal Strip
- Statutory Acknowledgement for Onaero River Marginal Strip
- Statutory Acknowledgement for Urenui River Marginal Strip
- Statutory Acknowledgement for Coastal Marine Area adjoining the area of interest
- Statutory Acknowledgement for Tangitu Conservation Area and Miro Scenic Reserve
- Statutory Acknowledgement for Onaero River
- Statutory Acknowledgement for Urenui River
- Statutory Acknowledgement for Waitara River within the area of interest
- Statutory Acknowledgement for Mimi River within the area of interest

The locations of the above areas are shown in Figure 6 below.

2.1 Statutory acknowledgement for Part of Mimi-Pukearuhe Coast Marginal Strip

Statutory area

The area to which this statutory acknowledgement applies is the area known as Part of Mimi-Pukearuhe Coast Marginal Strip, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip as set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi-Pukearuhe Coast Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi-Pukearuhe Coast Marginal Strip to Ngāti Mutunga.

This is an area of high historic importance to Ngāti Mutunga and contains some significant pā sites including Titoki, Ruataki, Pukekarito and Whakarewa. Regulation rūnanga (meetings) were held in this area at Wai-iti.

Pukekarito in prior times was the home of Tarapounamu the ancestor of Ngai Tarapounamu. Later Taihuru occupied this pā. Taihuru was a great warrior. His fame reaching his mother's people (Taranaki Tūturu) they sent a war party against him to nip his powers in the bud. He was attached at Pukekarito while he was making his paepae tuatara (toilet). Several messengers were dispatched to his house to alarm him but he coolly went on decking his hair with plumes and a whale bone comb. Having completed his paepae tuatara, he took up his taiaha and came forth. His appearance was greeted by his mother's kin who by this time had almost secured the entrance of the pā, with a yell "Aha! Ka put ate mokomoko nei, te keakea a Tukemata". (Aha! Now the lizard comes forth, the offspring of Tukemata). Taihuru replied by making an attack on the enemy, slaying two men at each blow of his taiaha, so that before long his kinsmen took flight. Taihuru fought in many other battles, and was in the end mortally wounded in a campaign against Taranaki Tūturu.

The Papatiki Stream is located in the area. It is tapu to Ngāti Mutunga because of the way in which it was used by northern invaders after a battle in pre-Pakeha times.

There remain important kaitaki links to the pātiki (flounder/sole) and tāmure (snapper) breeding grounds, as well as other fish sources.

A very important feature of the area is the presence of high papa rock cliffs. A particular fishing method was employed by Ngāti Mutunga which used the ledges hewn out by nature at the bottom of these cliffs. Mako (shark), tāmure and araara (trevally) were caught from these ledges in abundance.

Kōura (fresh water crayfish), kūtae (mussels), kina (sea eggs), pūua and other resources also contributed to a reliable and plentiful supply of seasonal fish from the area. Ngāti Mutunga developed a number of different ways of preserving these supplies for later consumption, using every part of the fish. This tradition has survived and continues to be used by Ngāti Mutunga as form of aroha koha (receptable contribution) at special hui.

Where the cliffs incline to sea level there are a number of tauranga waka (canoe berths) formerly used for fishing canoes. These have special significance to Ngāti Mutunga in their identification with the area as physical symbols of an historical association with it.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (d) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Part of Mimi-Pukearuhe Coast Marginal Strip as provided for in sections 50 to 52; and
- (e) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (f) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (c) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (d) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Part of Mimi-Pukearuhe Coast Marginal Strip (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Part of Mimi-Pukearuhe Coast Marginal Strip.

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Part of Mimi-Pukearuhe Coast Marginal Strip.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Part of Mimi-Pukearuhe Coast Marginal Strip.

2.2 Statutory acknowledgement for Waitoetoe Beach Recreation Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Waitoetoe Beach Recreation Reserve, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Waitoetoe Beach Recreation Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Waitoetoe Beach Recreation Reserve to Ngāti Mutunga.

The Waitoetoe Beach Recreation Reserve is situated near Arapawanui which was the pā of the brothers Tukutahi and Rehetaia (Mutunga's grandsons). Other important pā include Te Teketeke-o-Terehua (which is now an urupā), Omihi and Whakaahu. Ngāti Mutunga cultivated the area in former times. Waitoetoe was also a favourite fishing place and reef of Ngāti Mutunga. Tuatua, pipi, kūtae (mussels) and a number of fish species were caught off the coast here.

The coastal area was also generally known as Wai-roa (long waters) or Wai-ki-roa, which was the name of the long stretch of coastline from Waitoetoe to Tikoki in the north. At low tide Ngāti Mutunga would walk along the beach from Waitoetoe to Wai-iti.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of Waitoetoe Beach Recreation Reserve and surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which to use the resources of the Waitoetoe Beach Recreation Reserve. Proper and sustainable resource management has always been at the heart of the relationship of Ngāti Mutunga with the Waitoetoe Beach Recreation Reserve.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Waitoetoe Beach Recreation Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Waitoetoe Beach Recreation Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Waitoetoe Beach Recreation Reserve.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Waitoetoe Beach Recreation Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Waitoetoe Beach Recreation Reserve.

2.3 Statutory acknowledgement for Mimi Scenic Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Mimi Scenic Reserve, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Scenic Reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Scenic Reserve

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi Scenic Reserve to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mimi Scenic Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mimi Scenic Reserve as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—

- (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mimi Scenic Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mimi Scenic Reserve.

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mimi Scenic Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mimi Scenic Reserve.

2.4 Statutory acknowledgement for Mimi Gorge Scientific Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Mimi Gorge Scientific Reserve, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Gorge Scientific Reserve set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi Gorge Scientific Reserve

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi Gorge Scientific Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi Gorge Scientific Reserve to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mimi Gorge Scientific Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mimi Gorge Scientific Reserve as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with

Mimi Gorge Scientific Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mimi Gorge Scientific Reserve.

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mimi Gorge Scientific Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mimi Gorge Scientific Reserve.

2.5 Statutory acknowledgement for Mataro Scenic Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Mataro Scenic Reserve, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mataro Scenic Reserve set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mataro Scenic Reserve

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mataro Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mataro Scenic Reserve to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mataro Scenic Reserve as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mataro Scenic Reserve as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mataro Scenic Reserve (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mataro Scenic Reserve.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mataro Scenic Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mataro Scenic Reserve.

2.6 Statutory acknowledgement for Mt Messenger Conservation Area within the area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area known as Mt Messenger Conservation Area within the area of interest, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mt Messenger Conservation Area within the area of interest. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mt Messenger Conservation Area within the area of interest to Ngāti Mutunga.

The Mt Messenger Conservation Area and its surrounding area of great cultural significance to Ngāti Mutunga. Mt Messenger Conservation Area was a significant mahinga kai source from which the physical wellbeing of Ngāti Mutunga was sustained and the spiritual wellbeing nourished.

The medicinal qualities of the plant life in the Mt Messenger Conservation Area were also important to Ngāti Mutunga. These cultural aspects of the Area constitute an essential part of the heritage of Ngāti Mutunga.

Kaka, kiwi, kahurangi kererū, tuna inanga (whitebait) and the pāua slug were traditional resources found here. To ensnare some of the abundant bird life within the area known today as Mt Messenger Conservation Area, the people of Ngāti Mutunga would hollow out miro longs as drinking troughs for the birds such as kererū and wait in hiding for them.

Papa clay types found here were used for dying muka. A range of temperate zone flora was also available to Ngāti Mutunga from this area including beech, rata, rimu, and a variety of ferns. A range of materials was also collected from the area for waka, building and clothing.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of the Mt Messenger Conservation Area and surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which to use the resources of the Mt Messenger Conservation Area. Proper and sustainable resource management has always been at the heart of the relationship with Ngāti Mutunga with the Mt Messenger Conservation Area. The sustainable management of the resources of the Area remains important to Ngāti Mutunga today.

The traditional values of mana, mauri, whakapapa and tapu are central to the relationship of Ngāti Mutunga with the Mt Messenger Conservation Area. One of the roles of Ngāti Mutunga as tangata whenua is to protect the mauri of the Mt Messenger Conservation Area. Whakapapa defines the genealogical relationship of Ngāti Mutunga to the Area. Tapu describes the sacred nature of the Area to Ngāti Mutunga. Mana, mauri, whakapapa and tapu are all important spiritual elements of the relationship of Ngāti Mutunga with the Mt Messenger Conservation Area. All of these values remain important to the people of Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mt Messenger Conservation Area within the area of interest as provided for in sections 50 to 52; and

- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,–
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mt Messenger Conservation Area within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mt Messenger Conservation Area within the area of interest.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mt Messenger Conservation Area within the area of interest.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mt Messenger Conservation Area within the area of interest.

2.7 Statutory acknowledgement for Taramoukou Conservation Area

Statutory area

The area to which this statutory acknowledgement applies is the area known as Onaero River Scenic Reserve, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Taramoukou Conservation Area set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Taramoukou Conservation Area

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Taramoukou Conservation Area. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Taramoukou Conservation Area to Ngāti Mutunga.

The Taramoukou Conservation and its surrounding area are of great cultural significance to Ngāti Mutunga. Taramoukou was a significant mahinga kai source from which the physical wellbeing of Ngāti Mutunga was sustained and their spiritual wellbeing nourished. Kiwi, kaka, korerū, miro and a range of other plants were gathered as food and for medicinal purposes. The Mangahewa, Makara and Taramoukou streams also supplied tuna (eels) and kōura (freshwater crayfish). A range of materials was also collected from the area for waka, building and clothing.

Important Ngāti Mutunga pā sites in an nearby the area include Ruahine, Whakairongo, Takapuikaka and Tikorangi. These inland pā were used as places of refuge in times of war. They were also important seasonal food gathering pā. Many other temporary kāinga and campsites can be found throughout the conservation area.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of the Taramoukou Conservation Area and surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which to use the resources of the Taramoukou Conservation Area. Proper and sustainable resource management has always been at the heart of the relationship with Ngāti Mutunga with the Taramoukou Conservation Area. The sustainable management of the resources of the area remains important to Ngāti Mutunga today.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Taramoukou Conservation Area within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Taramoukou Conservation Area within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Taramoukou Conservation Area within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Taramoukou Conservation Area.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Taramoukou Conservation Area.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Taramoukou Conservation Area.

2.8 Statutory acknowledgement for Onaero River Scenic Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Onaero River Scenic Reserve, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Scenic Reserve set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Scenic Reserve

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero River Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Onaero River Scenic Reserve to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero River Scenic Reserve within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero River Scenic Reserve within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero River Scenic Reserve within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero River Scenic Reserve.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero River Scenic Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero River Scenic Reserve.

2.9 Statutory acknowledgement for Onaero Coast Marginal Strip

Statutory area

The area to which this statutory acknowledgement applies is the area known as Onaero Coast Marginal Strip, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero Coast Marginal Strip set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero Coast Marginal Strip

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero Coast Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Onaero Coast Marginal Strip to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero Coast Marginal Strip within the area of interest as provided for in sections 50 to 52; and

- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero Coast Marginal Strip within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,–
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero Coast Marginal Strip within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero Coast Marginal Strip.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero Coast Marginal Strip.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero Coast Marginal Strip.

2.10 Statutory acknowledgement for Onaero River Marginal Strip

Statutory area

The area to which this statutory acknowledgement applies is the area known as Onaero River Marginal Strip, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Marginal Strip set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River Marginal Strip

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero River Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Onaero River Marginal Strip to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero River Marginal Strip within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero River Marginal Strip within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero River Marginal Strip within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero River Marginal Strip.

- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero River Marginal Strip.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero River Marginal Strip.

2.11 Statutory acknowledgement for Urenui River Marginal Strip

Statutory area

The area to which this statutory acknowledgement applies is the area known as Urenui River Marginal Strip, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River Marginal Strip set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River Marginal Strip

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Urenui River Marginal Strip. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Urenui River Marginal Strip to Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Urenui River Marginal Strip within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Urenui River Marginal Strip within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:

- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Urenui River Marginal Strip within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Urenui River Marginal Strip.

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Urenui River Marginal Strip.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Urenui River Marginal Strip.

2.12 Statutory acknowledgement for Coastal Marine Area adjoining the area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area known as Coastal Marine Area adjoining the area of interest, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Coastal Marine Area. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Coastal Marine Area to Ngāti Mutunga.

A taniwha named Rangitotohu protects the Taranaki coastline. This taniwha is remembered in the whakatāuakī “Ka kopa, me kopa, kit e ana o Rangitotohu” (Gone, disappeared as if into the cave of Rangitotohu). Rangitotohu would snatch passers-by and draw them into his cave. If a person was to violate rāhui (temporary restrictions) or be disrespectful when fishing or gathering kaimoana they would be snatched by Rangitotohu.

The resources found along the coast of Nga Tai a Kupe (the tides of Kupe) have, since time immemorial, provided the people of Ngāti Mutunga with a constant supply of food resources. The pūpū (cats eye), pāpaka (crabs), pipi, tuatua and many other species of reef inhabitants. Hāpuku (groper), moki (trumpeter fish), kanae (mullet), mako (shark), pātiki (flounder) and tāmure (snapper) swim freely between the many reefs that can be found stretching out into the waters of Nga Tai a Kupe and along the Ngāti Mutunga coastline.

Names such as Pakihi, Maruwehi, Onepoto, Waitoetoe, Waikiroa, Paparoa, Kukuriki, and Owei depict the whereabouts of either a fishing ground or fishing reef.

A very important feature of the coastline is the presence of high perpendicular papa rock cliffs. These cliffs were broken by the Mimi, Urenui and Onaero rivers which forced their way out into the wide expanse of Nga Tai a Kupe. A unique fishing method was developed by Ngāti Mutunga using the ledges hewn out by nature at the bottom of these cliffs. Mako, tāmure, kahawai, and araara (trevally) were caught off these ledges in abundance.

The cliffs on the shores also provided a plentiful supply of titi (mutton bird) and karoro (seagull). Kororā (penguin) were also harvested at certain times of the year. Ngāti Mutunga referred to Ngā Tai a Kupe as “te pātaka o te iwi” (the cupboard of food of the people). The coastline was Ngāti Mutunga’s livelihood in prior times. It provided Ngāti Mutunga with all the resources of life they required to survive.

All along the shoreline from Titoki to Waiau food can be gathered depending on the tides, weather and time of the year.

Ngāti Mutunga has, and continues to exercise, its customary rights on the coastline from Titoki in the north to Waiau in the south. Ngāti Mutunga iwi and whānau have, and continue to exercise, food gathering according to the values and tikanga of Ngāti Mutunga.

Where the cliffs incline to sea level there are a number of tauranga waka (canoe berths) formerly used for fishing canoes. These have special significance to Ngāti Mutunga in their identification with the area as physical symbols of an historical association with it.

There are many sites of cultural, historical and spiritual significance to Ngāti Mutunga along the coastal area from Titoki to Waiau. Important kāinga are situated along this coastal area. These include Pihanga (originally the home of Uenuku), Maruwehi (the pē of Kahukura) and Te Kaweka (the birth place of Mutunga) which are situated on the cliffs near the mouth of the Urenui River, Oropapa, Te Mutu-o-Tauranga which is on the coast north of the Urenui River, Pukekohe, Arapawanui, Omihi, Hurita (near Mimi), Ruataki, Pukekaritoa and Titoki (Wai-iti).

Ngāti Mutunga people were often cremated, rather than buried in urupā. Many of the points jutting out into the sea along the Ngāti Mutunga coastline are tapu as they were sites used for this ritual.

Throughout the years Ngāti Mutunga has exercised custodianship over the Coastal Marine Area and has imposed rahui (temporary restrictions) when appropriate, restricting the taking of mussels, pipi, tuatua and other kaimoana. Proper and sustainable management of the Coastal Marine Area has always been at the heart of the relationship between Ngāti Mutunga and the Coastal Marine Area.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Coastal Marine Area adjoining the area of interest within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Coastal Marine Area adjoining the area of interest within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Coastal Marine Area adjoining the area of interest.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Coastal Marine Area adjoining the area of interest.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Coastal Marine Area adjoining the area of interest.

2.13 Statutory acknowledgement for Tangitu Conservation Area and Miro Scenic Reserve

Statutory area

The area to which this statutory acknowledgement applies is the area known as Coastal Marine Area adjoining the area of interest, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Tangitu Conservation Area and Miro Scenic Reserve. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Tangitu Conservation Area and Miro Scenic Reserve to Ngāti Mutunga.

Ngāti Mutunga have always maintained a considerable knowledge of the lands of the Tangitu Conservation Area, the Miro Scenic Reserve and the surrounding area, its history, the traditional trails of the tūpuna in the area, the places for gathering kai, and other taonga and ways in which to use the resources of the Tangitu Conservation Area and the Miro Scenic Reserve. Proper and sustainable resource management has always been at the heart of the relationship of Ngāti Mutunga with the Tangitu Conservation Area and the Miro Scenic Reserve. The sustainable management of the resources of the area remains important to Ngāti Mutunga today.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Tangitu Conservation Area and Miro Scenic Reserve within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Tangitu Conservation Area and Miro Scenic Reserve within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Tangitu Conservation Area and Miro Scenic Reserve.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Tangitu Conservation Area and Miro Scenic Reserve.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Tangitu Conservation Area and Miro Scenic Reserve.

2.14 Statutory acknowledgement for Onaero River

Statutory area

The area to which this statutory acknowledgement applies is the area known as Onaero River, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Onaero River

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Onaero River. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Onaero River to Ngāti Mutunga.

The Onaero River was important to Ngāti Uenuku (also known as Ngāti Tupawhenua). Ruaoneone had Ruawahia and from Ruawahia came Uenuku, the ancestor of Ngāti Uenuku. Kaitangata also has a strong association with the Onaero River.

Puketapu and Pukemiro pā are situated at the mouth of the river. Other pā along the banks of the Onaero River include Pukemapou, Moerangi, Te Ngaio, Tikorangi, Kaitangata and Ruahine which are all located upstream. Pukemapou was the home of Uenuku's two grandsons Pouwhakarangona and Poutitia. Pourangahau was the name of their famous whata kai.

Ngāti Mutunga utilised the entire length of the Onaero River for food gathering. The mouth of the river provided a plentiful supply of pipi, pūpū (cats eyes), pātiki (flounder), kahawai and other fish. Inanga (whitebait) were caught along the banks of the river. Tuna (eel) and piharau (lamprey eel) were caught in the upper reaches of the river. Piharau (lamprey eel) were caught using whakaparu which was a technique developed by placing rarauhe (bracken fern) in the rapids of the river in times of flood.

Ngāti Mutunga people have used the Onaero River to access sacred sites along its banks. The Onaero River and its banks have been occupied by the ancestors of Ngāti Mutunga since before the arrival of the Tokomaru and Tahatuna waka. The Onaero River was a spiritual force for the ancestors of Ngāti Mutunga and remains so today.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Onaero River, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to the people of Ngāti Mutunga today.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāti Mutunga whanui to the Onaero River.

The Onaero River has always been an integral part of the social, spiritual and physical lifestyle of the Ngāti Mutunga people. There are specific areas of the Onaero River that Ngāti Mutunga people would bathe in when they were sick. The river was also used for baptising babies.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Onaero River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Onaero River within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,–

- (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Onaero River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Onaero River.

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Onaero River.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Onaero River.

2.15 Statutory acknowledgement for Urenui River

Statutory area

The area to which this statutory acknowledgement applies is the area known as Urenui River, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Urenui River

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Urenui River. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Urenui River to Ngāti Mutunga.

The name Urenui derives from Tu-Urenui the son of Manaia who commanded the Tahatuna waka. Upon landing Manaia named the river after his son Tu-Urenui as an acknowledgement of his mana in the area. Upon his arrival the descendants of Pohokura and Pukearuhe were residing in the area. The river was also known as Te Wai o Kura. Kura was the ancestor of the Ngāti Kura hapū who in prior times occupied this area. This name is depicted in the Ngāti Mutunga pepeha:

Mai Te Wai o Mihinui (Mimi River) ki Te Wai o Kuranui (Urenui), koia tera ko te whakamarunga taniwha

The Urenui River has been a treasured taonga and resource of Ngāti Mutunga. Traditionally the Urenui River and, in times past, the associated wetland area have been a source of food as well as a communication waterway.

The people of Ngāti Mutunga lived in many pā located along the banks of the Urenui River. The Urenui River was referred to as “*he wai here Taniwha*” this figurative expression was used because of the large number of pā along the banks of the river. These pā included Pihanga, Pohokura, Maruehi, Urenui, Kumarakaiamo, Ohaoko, Pa-oneone, Moeariki, Horopapa, Te Kawa, Pa-wawa, Otumoana, Orongowhoro, Okoki, Pukewhakamaru and Tutu-manuka. The riverbanks thus became the repository of many kōiwi tangata.

Ngāti Mutunga utilized the entire length of the Urenui River for food gathering. The mouth of the river provided a plentiful supply of kutae (mussels), pipi, and pūpū (cats eye). Patiki (flounder) kahawai and other fish were caught throughout the year depending on the tide and the moon. Inanga (whitebait) were caught by the kete full. Tuna (eel) and piharau (lamprey eel) were caught in the upper reaches of the river. Piharau were caught using whakaparu, which was a technique developed by placing rārauhe (bracken fern) in the rapids of the river in times of flood.

Ngāti Mutunga people have used the Urenui River to access sacred sites along its banks. The Urenui River and its banks have been occupied by the ancestors of Ngāti Mutunga since before the arrival of the

Tokomaru and Tahatuna. Such ancestors included the descendants of Tokatea. The Urenui River was a spiritual force for the ancestors of Ngāti Mutunga and remains so today.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Urenui River, the relationship of the people with the river and their dependence on it, and tikanga for the proper and sustainable utilization of resources. All of these values remain important to Ngāti Mutunga today.

All elements of the natural environment possess a life force and all forms of life are related. Maui is a critical element of the spiritual relationship of Ngāti Mutunga to the Urenui River. Ngāti Mutunga also used the Urenui River for baptizing babies. When members of Ngāti Mutunga were sick or had skin problems they were taken to the river to be healed.

The Urenui River has always been an integral part of the social, spiritual and physical lifestyles of Ngāti Mutunga.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Urenui River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Urenui River within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Urenui River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Urenui River.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Urenui River.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Urenui River.

2.16 Statutory acknowledgement for Waitara River within the area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area known as Waitara River within the area of interest, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitara River within the area of interest set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Waitara River within the area of interest

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Waitara River within the Area of interest. For Ngāti Mutunga, traditions such as these represent the links between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Waitara River within the Area of interest to Ngāti Mutunga.

The Waitara River takes its name from Te Whaitara-nui-ā-Wharematangi-i-te-kimi-i-tana-matua-i-ā-Ngarue. The Waitara River is important to Ngāti Mutunga as a boundary marker between Ngāti Mutunga and Ngāti Maru-Wharanui.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Waitara River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (c) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Waitara River within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Waitara River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Waitara River within the area of interest.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Waitara River within the area of interest.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Waitara River within the area of interest.

2.17 Statutory acknowledgement for Mimi River within the area of interest

Statutory area

The area to which this statutory acknowledgement applies is the area known as Mimi River within the area of interest, the general location of which is indicated on Figure 6.

Preamble

Under section 48, the Crown acknowledges the statement by Ngāti Mutunga of the cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi River within the area of interest set out below.

Cultural, spiritual, historical, and traditional association of Ngāti Mutunga with Mimi River within the area of interest

The traditions of Ngāti Mutunga illustrate the cultural, historical and spiritual association of Ngāti Mutunga to the Mimi River within the Area of interest. For Ngāti Mutunga, traditions such as these represent the links

between the world of the gods and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Mimi River within the area of interest to Ngāti Mutunga.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Mimi River, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to the people of Ngāti Mutunga today.

The full name of the Mimi River is Mimitangiatua. The river was also known as Te Wai o Mihirau. Mihirau was an ancestress of the Te Kekerewai hapū and was a prominent woman of her time. The name Te Wai o Mihirau is referred to in the Ngāti Mutunga pepeha:

Mai Te Wai o Mihirau (Mimi River) ki Te Wai o Kuranui (Urenui), koia tera ko te whakararunganui taniwha

There are a number of pā and kāinga located along the banks of the Mimi River. These include Mimi-Papahutiwai, Omihi, Arapawanui, Oropapa, Pukekohe, Toki-kinikini and Tupari. There were also a number of taupā (cultivations along the banks of the river).

Arapawanui was the pā of Mutunga's famous grandsons Tukutahi and Rehetaia. They were both celebrated warriors, especially Rehetaia who took the stronghold of Kohangamouku belonging to Ngāti Mutunga's southern neighbours Ngāti Rahiri.

The Mimi River and associated huhi (swampy valleys), ngahere (large swamps) and repo (muddy swamps) were used by Ngāti Mutunga to preserve taonga. The practice of keeping wooden taonga in swamps was a general practice of the Ngāti Mutunga people.

The Mimi River has nourished the people of Ngāti Mutunga for centuries. Pipi, Pūpū (cat's eye), tio (oyster) and pātiki (flounder) were found in abundance at the mouth of the river. Inanga (whitebait) were caught all along the banks of the river.

The Mimi River has always been an integral part of the social, spiritual and physical lifestyle of the Ngāti Mutunga people. Ngāti Mutunga also used the Mimi River for baptizing babies. When members of Ngāti Mutunga were sick or had skin problems they were taken to the river to be healed.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāti Mutunga whanau to the Mimi River.

To the people of Ngāti Mutunga, all the rivers and their respective valleys are of the utmost importance because of their physical, spiritual and social significance in the past, present and future.

Purposes of statutory acknowledgement

Under section 49, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust to have regard to the statutory acknowledgements in relation to Mimi River within the area of interest as provided for in sections 50 to 52; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 54; and
- (b) to enable the trustees and a member of Ngāti Mutunga to cite the statutory acknowledgement as evidence of the association of Ngāti Mutunga with Mimi River within the area of interest as provided for in section 55.

Exercise of powers and performance of functions and duties not affected

Under section 59 –

- (1) Except as expressly provided in this subpart,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw;
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngāti Mutunga with Mimi River within the area of interest (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Mimi River within the area of interest.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

Rights not affected

Under section 60 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

Limitation of rights

Under section 61 and except as expressly provided in subpart 3 of Part 2 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to Mimi River within the area of interest.

Crown not precluded from granting other statutory acknowledgement

Under section 58 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngāti Mutunga or the trustees with respect to Mimi River within the area of interest

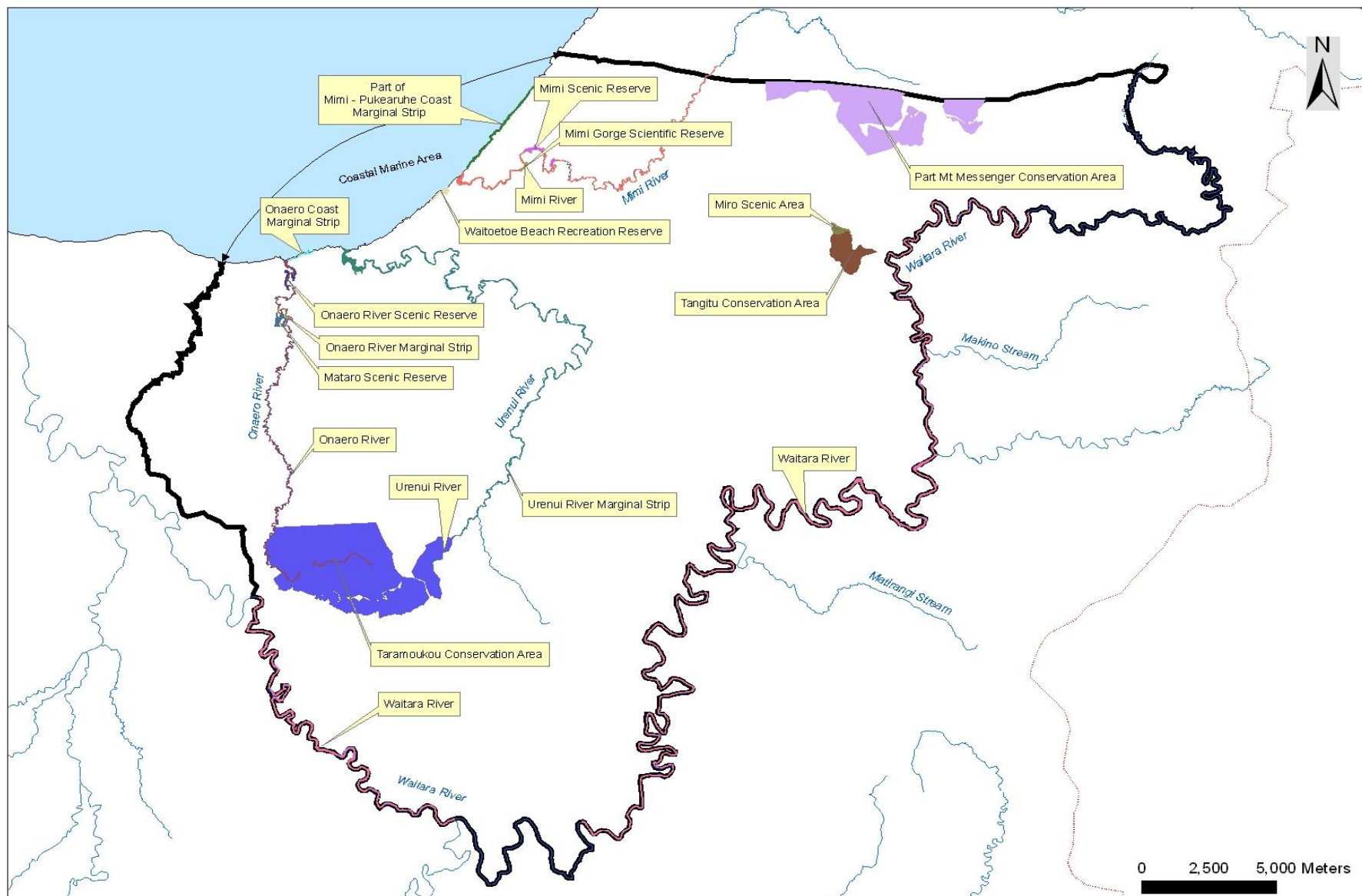


Figure 6 Location of statutory acknowledgements for Ngāti Mutunga

Appendix XF: Taranaki statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 93 of the Taranaki Claims Settlement Act 2003, information recording statutory acknowledgements is hereby attached to the *Regional Policy Statement for Taranaki*. The information includes relevant provisions of Subpart 5 of Part 5 of the Taranaki Claims Settlement Act 2003 in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

2. Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Otoki Gorge Scenic Reserve (Schedule 5 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Te Moananui A Kupe O Ngati Ruanui (Schedule 6 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Tangahoe River (Schedule 7 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Whenuakura River (Schedule 8 Ngati Ruanui Claims Settlement Act 2003)
- Statutory Acknowledgement for Patea River (Schedule 9 Ngati Ruanui Claims Settlement Act 2003)

The statements of association of Taranaki Iwi are set out below. These are statements of Taranaki Iwi's particular cultural, spiritual, historical and traditional association with identified areas.

COASTAL MARINE AREA

Statutory Area	Location
Taranaki Iwi coastal marine area	(as shown on deed plan OTS-053-55)

The following statement of association by Taranaki Iwi applies to the above statutory area.

Taranaki Iwi exercise mana whenua and mana moana from Paritutu in the north around the western coast of Taranaki Maunga to Rāwa o Turi stream in the south and from these boundary points out to the outer extent of the exclusive economic zone.

The traditions of Taranaki Iwi illustrate the ancestral, cultural, historical and spiritual association of Taranaki Iwi to the coastal marine area within the Taranaki Iwi rohe ("**Coastal Marine Area**"). The seas that bound the Coastal Marine Area are known by Taranaki Iwi as Ngā Tai a Kupe (the shores and tides of Kupe). The coastal lands that incline into the sea are of high importance to Taranaki Iwi and contain kainga (villages), pā (fortified villages), pūkawa (reefs) for the gathering of mātaitai (seafood), tauranga waka or awa waka (boat channels), tauranga ika (fishing grounds) and mouri kōhatu (stone imbued with spiritual significance). The importance of these areas reinforces the Taranaki Iwi tribal identity and provides a continuous connection between those Taranaki Iwi ancestors that occupied and utilised these areas.

Prior to the proclamation and enforcement of the confiscation of lands within the Taranaki Iwi rohe (area of interest), Taranaki Iwi hapū occupied, cultivated, fished, harvested and gathered mātaitai in the Coastal Marine Area. The entire shoreline from Paritūtū to the Rāwa o Turi was critical to daily life such as fishing, food gathering, cultivations and ceremonies. The sea and coastal reefs provided a staple food source with fertile volcanic soils providing excellent growing conditions for large community cultivations. Food preparation and harvesting was ultimately dependant on the lunar calendar that controlled tides and other environmental conditions, but the best times for gathering and harvesting are known by Taranaki Iwi as Ngā Tai o Mākiri (the tides of Mākiri). These generally occur in March and September.

The small boulder reefs are possibly one of the most unique features of the Taranaki Iwi coastline providing special habitat for all matters of marine life. Resources found along the extent of the coastline of Ngā Tai a Kupe provide Taranaki Iwi with a constant supply of food. The reefs provide pāua (abalone), kina (sea urchin),

kōura (crayfish), kūkū (mussels), pūpū (mollusc), ngākihi (limpets), pāpaka (crab), toretore (sea anemone) and many other reef species, while tāmure (snapper), kahawai, pātiki (flounder), mako (shark) and other fish are also caught along the coastline in nets and on fishing lines.

Also evident in the reefs are the monolithic tauranga waka or awa waka where large boulders were moved aside by hand to create channels in the reef. These provided access to offshore fishing grounds and prevented boats from being smashed onto rocks by the heavy surf. Large kāinga were also built around the tauranga waka providing Taranaki Iwi hapū with the infrastructure for efficient fishing operations. Whenever possible, fishing nets were also set in the tauranga waka. Fishing also took the form of separate, smaller pool like structures, or tauranga ika. They were baited and had a small opening on the seaward end of the structure to attract fish. On an incoming tide fish would enter the pools to feed and would then be chased out to be caught by a net placed over the small entranceway.

Taranaki Iwi oral traditions recount that in former times, the extent of large boulder reefs in the central part of Taranaki Iwi was much larger than those seen today. The large sandy areas in the central part of the Taranaki Iwi rohe is an occurrence attributed to Mangohuruhuru. Mangohuruhuru was from the South Island and was bought here by Taranaki Iwi rangatira Pōtikiroa and his wife Puna-te-rito, who was Mangohuruhuru's daughter. Mangohuruhuru settled on the coastal strip between Tipoka and Wairua and built a house there called Te Tapere o Tūtahi. However, the large rocky Taranaki coastline was foreign to him and he longed for the widespread sandy beaches of his homeland. He warned Taranaki Iwi and told them he was calling the sands of Tangaroa. This phenomenon came as a large tsunami and totally buried Mangohuruhuru and his kainga. His final words to Taranaki Iwi were:

'ka oti taku koha ki a koutou e ngā iwi nei, ko ahau anō hei papa mō taku mahi, hei papa anō hoki mō

koutou - This will be my parting gift for you all, that it will come at the cost of my life, but will provide a future foundation'⁵⁵

The sands brought by Mangohuruhuru continue to provide excellent growing conditions for many of the low lying seaside kāinga within the central part of the Taranaki Iwi rohe.

The Coastal Marine Area was also the main highway for many Taranaki Iwi uri (descendants) when travelling between communities, as most of the coastal lands were free of the thick bush found a little higher towards the mountain. Coastal boundary stones and mouri kōhatu are another unique cultural feature within the Taranaki Iwi rohe and they form a highly distinctive group, not commonly found elsewhere in the country. Many of these were invariably carved with petroglyphs in spiral form and were often located in accessible areas, within pā earthworks and open country. However, most of them were nestled in the reef on the seashore alongside tauranga waka, tauranga ika, pūkāwa, pūaha (river mouths) and below or adjacent to well-known pā sites.

Tahu and Turi the twin kaitiaki (guardians) mark the mouth of the Tapuae River⁵⁶, Te Pou o Tamaahua in Ōākura, Te Toka a Rauhoto (originally located a little inland on the south side Hangātāhua River mouth) Opu Opu (also a tauranga waka and tauranga ika) in the bay off Te Whanganui Reserve, Kaimaora, Tuha, Tokaroa and Omanu in the reefs at Rahotū and Matirawhati the stone boundary marker between Ngāti Haua (a hapū of Ngāruahine) and Taranaki Iwi on the reef of the Rāwa o Turi river mouth. These mouri kōhatu continue to be revered by Taranaki Iwi hapū.

Although access to many areas along the Coastal Marine Area was discontinued as a consequence of confiscation, Taranaki Iwi have continued to exercise custodianship over those areas accessible to Taranaki Iwi. Many Taranaki Iwi hapū have imposed rāhui (temporary restrictions) over sites, restricting the taking of kūkū, kina, pāua and other mātaitai. Proper and sustainable management of the Coastal Marine Area has always been at the heart of the relationship between Taranaki Iwi and the Taranaki Iwi coastline.

The names of some of the Taranaki Iwi Coastal Marine Area sites of significance such as pūkawa, tauranga ika and tauranga waka are listed in Appendix A.

⁵⁵
⁵⁶

Te Kahui Kararehe unpublished manuscript
George, Simon. 2012, *Sites and Rohe of Historical Significance to Taranaki Iwi*. Unpublished paper

APPENDIX A
COASTAL MARINE AREA SITES OF SIGNIFICANCE

FROM PARITUTU TO THE ŌĀKURA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Paritūtū	<i>He maunga</i> (mountain)	Te Ātiawa
Motu-o-Tamatea	He moutere (<i>island</i>)	Te Ātiawa
Tokatapu	He moutere	Te Ātiawa
Koruanga	He moutere	Te Ātiawa
Waikaranga	He moutere	Te Ātiawa
Tokamapuna	He moutere	Te Ātiawa
Motumahanga	He moutere	Te Ātiawa
Moturoa	He moutere	Te Ātiawa
Mataora	He moutere	Te Ātiawa
Pararaki	He moutere	Te Ātiawa
Ōnukutaipari	<i>He oneroa</i> (long stretch of beach)	Te Ātiawa
Te Parapara	<i>He urupā/ He onepū</i> (burial ground/sandy dune)	
Waiorotoki (Waiorotoki)	He pūkāwa (reef)	
Papataniwha	He pūkāwa	
Ōmata	He pūkāwa / He kāinga (reef/ village)	
Tokatapu	He pūkāwa	
Kapowairua	He pūkāwa	
Te Papahineroa	He pūkāwa	
Omuna	<i>He pā</i> (fortified village)	
Haurangi	He kāinga	
Ōtete	He pā	
Huataua	He kāinga	
Rangiuru	He kāinga	
Paerewa	He kāinga	
Ngātokatūrua	He pūkāwa	
Te Arawaire	He pūkāwa	
Wāhitere	He pūkāwa	
Tarakatea	He pūkāwa	
Kāwhiaiti	He pā / He kāinga	
Te Awahahae	He pā	
Tauwhare	He pūkāwa	
Kereata	He pūkāwa	
Ko Hinetaupea	He pūkāwa	
Kekeorangi	He pā	
Waikukakuka	He tauranga waka (<i>boat channel</i>)	
Ōmuna	He pā	
Tokataratara	He pūkāwa	
Te Kahakaha	He kāinga	
Oruarire	He pūkāwa	

FROM THE ŌĀKURA RIVER TO HANGATAHUA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Okorotua	He kāinga/ He pā	
Te Ruatahi	He oneroa	
Te Patunga	He oneroa	
Te Ahu a Tama	He oneroa	
Ahipaka	He kāinga	
Pukeariki	He kāinga	
Te Ruaatumanu	He pūkāwa	
Oau	He pā/ He kāinga	
Hāhāwai	He kāinga	
Ōraukawa	He pūkāwa	
Te Pangaterangi	He kāinga	
Tūrakitōa	He kāinga	
Hauranga	He pā	
Upoko ngāruru	He kāinga / He pūkāwa	
Te Wahanga	He pūkāwa	
Te Mutu	He pūkāwa	
Poatamakino	He pūkāwa	
Te Rapa	He pūkāwa	
Kaipāpaka	He pūkāwa	
Te Waiho	He pūkāwa	
Kohoki	He pūkāwa	
Tarare	He pūkāwa	
Puketahu	He pūkāwa	
Pirirata	He pūkāwa	
Rataua	He kāinga	
Moanatairi	He kāinga / He māra (village / garden)	
Pukehou	He kāinga / He māra	
Tataraimaka	He pā/ tauranga waka	
Haurapari	He kāinga	
Puketehe	He kāinga / He māra	
Kaiwekaweka	He pūkāwa	
Tukitukipapa	He pā	
Maitahi	He kāinga / he tauranga waka / he pūkāwa	
Takaipakea	He kāinga	
Waikoukou	He kāinga	
Te Raroa	He kāinga	
Tiroa	He kāinga	
Huakiremu	He kāinga	
Piritakini	He kāinga	
Parawaha	He pa/ He kāinga / He urupā	
Kaihihi	He kāinga	
Puketarata	He kāinga	
Mounu Kahawai	He pā	
Totoaro	He huhi/ He repo (swamp/ marsh)	
Whareatea	He pā / He kāinga / He tauranga waka	

HANGATAHUA RIVER TO KAPOAIAIA RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Whakapohau	He onepū	
Ngātokamaomao	He tauranga waka	
Mokotunu	He kāinga / He tauranga waka / He urupā / He pūkāwa	
Taihua	He kāinga / He tauranga waka / He urupā / He pūkāwa	
Kaihamu	He kāinga	
Wareware	He kāinga	
Tuiraho	He kāinga / He tauranga waka / He urupā / He pūkāwa	
Warea Redoubt/Bradys Grave	He urupā	
Warea	He kāinga	
Tarakihi	He kāinga / He tauranga waka	
Te Whanganui	He kāinga	
Te Opuopu	He tauranga waka / He tauranga ika / He tokatūmoana	
Te Putatuapō	He kāinga / He pūkāwa	
Waikauri	He Tauranga ika	
Ihutangi	He kāinga / He pūkāwa	
Okawa	He kāinga / He pūkāwa	
Ikaroa	He kāinga / He pūkāwa	
Te Mapua / Te Awaatuteangi	He tauranga waka / He Tauranga ika	

KAPOAIAIA RIVER TO MOUTOTI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Mataurukuhia	He kāinga / He pūkāwa	
Te Awa Akuaku	He tauranga waka	
Ko Manu	He tokatūmoana (<i>rock of significance</i>)	
Tipoka	He kāinga / He tauranga waka / He māra	
Tokaroa	He tauranga waka / He pūkāwa	
Waitaha	He kāinga / He pūkāwa	
Wairua (Wairuangangana)	He kāinga / He pūkāwa	
Ōtūkorewa	He kāinga	
Kaimaora	He pūkāwa	
Otamaariki	He pūkāwa	
Aratetarai	He kāinga	
Opoe	He pūkāwa	
Urupiki	He pūkāwa	
Tokapiko	He whanga / He pūkāwa	
Owhae	He pūkāwa	
Pukerimu	He kāinga	
Papanui	He pūkāwa	
Okopiri (Okopere)	He kāinga	
Kapukapu	He pūkāwa	
Okahu	He pūkāwa	

KAPOAIAIA RIVER TO MOUTOTI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Kairoa	He urupā	
Matawhero	He whanga/ He pūkāwa (bay / reef)	
Orapa	He pūkāwa	
Taupata	He pūkāwa	
Patarakini	He pūkāwa	
Opokere	He pūkāwa	
Oraukawa	He kāinga / He tauranga waka / He pūkāwa	
Ōtūwhenua	He kāinga	
Te Kuta	He pūkāwa	
Awawaroa	He pūkāwa	
Tangihāpu	He pūkāwa	
Te Karangī	He pūkāwa	
Paparoa	He urupā	

MOUTOTI RIVER TO RĀWA O TURI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Moutoti	He tauranga waka	
Pukawa	He pūkāwa	
Waitakiato	He kāinga / He tauranga waka	
Ōtūparaharore	He pūkāwa	
Pukeariki	He kāinga	
Kaiaho	He rua taniwha (taniwha lair)	
Ngāmotu	He pūkāwa	
Te Tuahu	He urupā	
Waiwiri	He tauranga waka / He pūkāwa	
Arawhata	He tauranga waka / He pūkāwa	
Otahi (Te Namu)	He tauranga waka / He pūkāwa	
Taura harakeke	He tauranga waka	
Te Namu Iti	He pā / He kāinga	
Te Namu	He pā / He urupā	
Te Moua	He kāinga	
Tūkapo	He kāinga	
Taumatakahawai	He pūkāwa / He pā	
Tukutukumanu	He kāinga	
Matakaha	He pā / He kāinga	
Pukekohatu	He pā / He kāinga / He pūkāwa	
Mangahume	He pūkāwa	
Waiteika	He pūkāwa	
Hingaimotu	He kāinga	
Mātaikahawai	He pā / He kāinga	
Kororanui	He roto (lake)	Ngāruahine
Oruaepa	He kāinga	Ngāruahine
Pūhara te rangi	He pā	Ngāruahine
Watino	He kāinga	Ngāruahine
Papaka (Papakakatiro)	He pā / He kāinga	Ngāruahine
Ōtūmatua	He pā / He kāinga / He pūkāwa	Ngāruahine
Puketapu	He pūkāwa	Ngāruahine

MOUTOTI RIVER TO RĀWA O TURI RIVER		
NAME OF SITE	CLASSIFICATION	IWI INTERESTS
Mangamaire	He pā / He kāinga	Ngāruahine
Kawatapu	He kāinga / He pā	Ngāruahine
Mataawa (Mataaho)	He pā	Ngāruahine
Te Pou o Matirawhati	He tokatūmoana	Ngāruahine

WATERWAYS

Statutory Area	Location
Mangawarawara Stream Marginal Strip	(as shown on deed plan OTS-053-48)
Waiweranui Stream Marginal Strip	(as shown on deed plan OTS-053-56)
Tapuae Stream Marginal Strip	(as shown on deed plan OTS-053-54)
Pungarehu Marginal Strip	(as shown on deed plan OTS-053-52)
Otahi Stream No 1 Marginal Strip	(as shown on deed plan OTS-053-49)
Otahi Stream No 2 Marginal Strip	(as shown on deed plan OTS-053-50)
Heimama Stream Gravel Local Purpose Reserve	(as shown on deed plan OTS-053-46)
Ouri Stream Marginal Strip	(as shown on deed plan OTS-053-51)
Mangahume Stream Conservation Area	(as shown on deed plan OTS-053-32)
Waiongana Stream and its tributaries	(as shown on deed plan OTS-053-43)
Ngatoronui Stream and its tributaries	(as shown on deed plan OTS-053-33)
Oakura River and its tributaries	(as shown on deed plan OTS-053-34)
Warea River (Te Ikaparua) and its tributaries	(as shown on deed plan OTS-053-45)
Kapoaiaia Stream and its tributaries	(as shown on deed plan OTS-053-31)
Otahi Stream and its tributaries	(as shown on deed plan OTS-053-36)
Pungaereere Stream and its tributaries	(as shown on deed plan OTS-053-39)
Waiaua River and its tributaries	(as shown on deed plan OTS-053-41)
Mangahume Stream and its tributaries	(as shown on deed plan OTS-053-32)
Waiteika Stream and its tributaries	(as shown on deed plan OTS-053-44)
Taungatara Stream and its tributaries	(as shown on deed plan OTS-053-40)
Punehu Stream and its tributaries	(as shown on deed plan OTS-053-38)
Ouri Stream and its tributaries	(as shown on deed plan OTS-053-37)
Oeo Stream and its tributaries	(as shown on deed plan OTS-053-35)

The following statement of association by Taranaki Iwi applies to the above statutory areas.

Taranaki Iwi exercise mana whenua and mana moana from Paritūtū in the north around the western coast of Taranaki Maunga to Rawa o Turi stream in the south and from these boundary points out to the outer extent of the exclusive economic zone.

The traditions of Taranaki Iwi confirm the ancestral, cultural, historical and spiritual importance of the waterways to Taranaki Iwi within the Taranaki Iwi rohe. The rivers and tributaries that bound and flow through the Taranaki Iwi rohe (area of interest) are of high importance to Taranaki Iwi, as many of them flow directly from Taranaki Maunga. These waterways contain adjacent kāinga (villages), pā (fortified villages), important sites for the gathering of kai (food), tauranga ika (fishing areas) and mouri kōhatu (stones imbued with spiritual significance). The importance of these waterways reinforces the Taranaki Iwi tribal identity and provides a continuous connection between those ancestors that occupied and utilised these areas and their many deeds.

Waterways, rivers and streams within the Taranaki Iwi rohe were and continue to be vital to the well-being, livelihood and lifestyle of Taranaki Iwi communities. As kaitiaki (guardians), Taranaki Iwi closely monitored their health and water quality to ensure there was an abundant source of food, materials and other resources to sustain their livelihoods. A diverse range of food sources, such as piharau (lamprey eel), tuna (eel), kōkopu

(native trout), inanga (whitebait), kōaro (small spotted freshwater fish) and kōura (freshwater crayfish) were a staple harvest with large numbers of kahawai and pātiki (flounder) also caught on the river mouths along the Taranaki Iwi coastline. Although access to many of the age old fishing spots for piharau has become a challenge, many are still caught in the months of June, July and August by Taranaki Iwi families.

Relatively high rainfall up on the mountain quickly drains through these river systems, contributing to high water flows and the swift clearance of excessive sedimentation. This has resulted in, clean, clear water accessible to generations of Taranaki Iwi. The river courses, waterfalls and pools were also ceremonial sites used for baptism and other forms of consecration including tohi (child dedication ceremony), pure (tapu removal ceremony) and hahunga (exhumation ceremony). The practice of hahunga involved the scraping and cleansing of bones after being laid on a whata (stage), or suspended from trees to allow for the decomposition of the flesh from the body. The bones were then painted with kōkōwai (red ochre) wrapped and interred in caves, some of these were on the banks of rivers on the plains while others were high up on the mountain. The natural resources along the edges of the rivers and large swamp systems commonly provided materials for everyday community life, waka (boats), housing, construction, medicine, food and clothing. Large deposits of kōkōwai were also abundant in the river beds higher up on the mountain. Te Ahititi was a famous Kōkōwai deposit located along the banks of the Hangatāhua River with other known sites on the Kaitake range and Waiwhakaiho River valley above Karakatonga Pā. These sites were fiercely guarded by Taranaki Iwi.

The waterways within the Taranaki Iwi rohe also traditionally provided the best access routes to inland cultivations and village sites further up on the mountain and the ranges. Some of these routes became celebrated and were conferred names that confirmed the importance of the places they led to. Te Arakaipaka was a route that followed the Pitoone, Timaru and Waiorehu streams up onto various sites on the Kaitake and Pouākai ranges. Tararua was another route that followed the Whenuariki Stream to Te Iringa, Pirongia, Pukeiti and Te Kōhatu on the Kaitake range. The Hangatāhua River was also a key route up onto the Ahukawakawa swamp basin. The Kapoaiaia River also provided a pathway for Taranaki Iwi hapū, Ngāti Haupoto. This began at Pukehāmoama (close to the Cape Lighthouse on the sea coast) and went to Te Umupua, Orokotehe, Te Ahitahutahu, Ongaonga and onto the Ahukawakawa Swamp⁵⁷ where a whare was situated. The Ōkahu River was another well-known route to Te Apiti and onto Te Maru, a fortified pā high up on Taranaki Maunga. Te Maru Pā had extensive cultivations and satellite kāinga before it was attacked by Ngāpuhi and Waikato war parties in the early 1800's with great slaughter.

Taniwha also protected many of the rivers and waterways along the Taranaki Iwi coast. Te Rongorangiataiki was resident along the Ōākura⁵⁸ River along with the famed taniwha Tuiāu of Matanehunehu, who was said to have caused a fishing tragedy at Mokotunu in the late 1800s. There was also Te Haiata, the taniwha who resided at Ngauhe, and Kaiaho on the Pungaereere and Ōaoiti streams. He would move from these two places from time to time to protect the people and the rivers. Taniwha are still revered by many Taranaki Iwi families and form the basis of tikanga (practices) for which the sustainable harvesting and gathering of food for Taranaki Iwi continues today.

The names of significant waterways within the Taranaki Iwi rohe are listed in Appendix B.

APPENDIX B TARANAKI IWI WATERWAYS

WATERWAY	MAIN TRIBUTARIES	IWI INTERESTS
Herekawe Stream and its tributaries	Mangaherurangi Stream	Te Ātiawa
Te Hēnui Stream (<i>Headwaters and Upper Reaches</i>)	Pukekotahuna Stream	Te Ātiawa
Huatoki Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Mangorei Stream (<i>Headwaters and Upper Reaches</i>)	Taruawakanga Stream Korito Stream Mangakarewarewa Stream	Te Ātiawa
Mangamahoe Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Waiwhakaiho River (<i>Headwaters and Upper Reaches</i>)	Mangakōtukutuku Stream Mangawarawara Stream Kokowai Stream Karakatonga Stream	Te Ātiawa
Waiongana River (<i>Headwaters and Upper Reaches</i>)	Waionganaiti Stream	Te Ātiawa
Ngātoro Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa

⁵⁷ Te Kahui Kararehe, unpublished manuscript

⁵⁸ 4 George, Simon. 2012, *Sites and Rohe of Historical Significance to Taranaki iwi*. Unpublished paper.

WATERWAY	MAIN TRIBUTARIES	IWI INTERESTS
Ngātoronui Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Piakau Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Little Maketawa Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Maketawa Stream (<i>Headwaters and Upper reaches</i>)		Te Ātiawa
Mangamāwhete Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Waipuku Stream (<i>Headwaters and Upper Reaches</i>)		Te Ātiawa
Waireka Stream and its tributaries	Wairere Stream Pirongia Stream	Te Ātiawa
Ōkurukuru Stream and its tributaries	Paopaoahoanui Stream Ngākara Stream	
Tapuae Stream and its tributaries	Ōraukawa Stream	
Ōākura River and its tributaries	Momona Stream Kiri Stream	
Wairau Stream and its tributaries		
Waimoku Stream and its tributaries		
Ōtūpoto Stream and its tributaries		
Whenuariki Stream and its tributaries		
Timaru Stream and its tributaries		
Pitoone Stream and its tributaries		
Waiaua Stream		
Hurumangu Stream and its tributaries		
Katikara Stream and its tributaries		
Maitahi Stream and its tributaries	Moakura Stream	
Waikoukou Stream and its tributaries	Mangakino Stream	
Kaihihi Stream and its tributaries	Waihi Stream Horomanga Stream	
Hangatahua (Stoney) River and its tributaries	Waikirikiri Stream	
Werekino Stream and its tributaries	Waitetarata Stream Otaipane Stream Waitapuae Stream	
Matanehunehu Stream and its tributaries		
Waiorongomai Stream and its tributaries		
Pūremunui Stream		
Waiweranui Stream and its tributaries		
Te Ikaparua (Warea) River and its tributaries	Whanganui Stream Mangaone Stream Waitekaure Stream Te Mahau Stream Oneroa Stream	
Kapoaiaia Stream and its tributaries	Wairere Stream Waiohau Stream	
Otahi Stream and its tributaries	Moukoro Stream	
Waitotoroa Stream and its tributaries	Waiare(Waiari) Stream Pehu Stream	
Waitaha Stream and its tributaries		
Pungaereere Stream and its tributaries	Rautini Stream	
Okahu Stream and its tributaries		
Manganui Stream		
Ōtūwhenua Stream		
Tangihāpū Stream		
Moutoti Stream and its tributaries	Maungahoki Stream Waitakiato Stream	
Ōaoiti Stream and its tributaries		
Ōaonui Stream and its tributaries	Maunganui Stream Teikiwanui Stream Ngapirau Stream	
Arawhata Stream		

WATERWAY	MAIN TRIBUTARIES	IWI INTERESTS
Ōkaweu Stream and its tributaries	Mouhanga Stream Waikārewarewa Stream Waiāniwaniwa Stream	
Heimama Stream and its tributaries	Mangamutu Stream	
Otahi Stream and its tributaries		
Hihiwera Stream and its tributaries		
Waiaua River and its tributaries	Otaki Stream Waipapa Stream	
Mangahume Stream and its tributaries		
Waiteika Stream and its tributaries	Ngārika Stream Te Waka Stream	
Taungātara Stream and its tributaries	Rāhuitoetoe Stream	Ngāruahine
Pūnehu Stream and its tributaries	Mangatawa Stream	Ngāruahine
Ōuri Stream and its tributaries	Waipaepaeiti Stream	Ngāruahine
Oeo Stream and its tributaries	Mangatoromiro Stream Waihi Stream	Ngāruahine
Wahamoko Stream and its tributaries	Waimate Stream	Ngāruahine
Rāwa o Turi Stream and its tributaries		Ngāruahine

Statutory Area	Location
Ratapihipihi Scenic Reserve	(as shown on deed plan OTS-053-53)

Ratapihipihi area is of cultural, historical and spiritual significance to Taranaki Iwi. Ratapihipihi takes its name from the extent of the growth of Rata in and around the area in former times. The domain reserve and surrounding area includes the following sites of significance: Ratapihipihi kāinga / pā, Te Rangihinga, Ongaruru, Rotokare, Kororako pā and Kaikākāriki. These pā and kāinga were widely occupied by Taranaki Iwi and sections of Te Ātiawa.

In 1847, the wider Ratapihipihi area was designated one of two native reserves during the purchase of the Ōmata Block (4856 hectares) on 30th August 1847.⁵⁹ As a designated Native Reserve (371 acres), Ratapihipihi then became the home of many Potikitaua and Ngāti Tairi people following their relocation from the seaside kāinga of Ōmata. Many people lived for a time at Ratapihipihi pā / kāinga located south west of the current Rotokare Lagoon. Subsequently, Ratapihipihi became a prominent village and settlement up until the 1860s when Crown and Māori conflict began and, on 4 September 1860, a powerful military, naval and militia force started out from New Plymouth under the command of Major-General Pratt and attacked the kāinga.⁶⁰ The pā and surrounding cultivations were levelled and razed by fire.

In June 1872, Ihaia Porutu, Rōpata Ngārongomate, Henare Piti Porutu and Wiremu Rangīāwhio received a Crown Grant under the Native Reserves Act 1856 for 140 acres 1 rood 38 perches, being part Native Reserve No 5, Ratapihipihi.⁶¹ The grant was issued under the Native Reserves Act 1856.

On 29 May 1906, 50 acres of this grant was taken for scenic purposes under the Public Works Act 1905 and the Scenery Preservation Act 1903.⁶² On 2 April 1909, the Native Land Court ruled the Public Trustee pay six Maori owners £345 compensation.⁶³

⁵⁹1903 survey map

⁶⁰Wellington Independent 1860:1

⁶¹G12/17

⁶²NZ Gazette No 43, 7 June 1906, p1426

⁶³BOF Tar 5, Native Land Court Direction, 2 April 1909

Appendix XG: Ngāruahine statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 53 of the Ngāruahine Claims Settlement Act 2006, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 2 of the Ngāruahine Claims Settlement Act 2006, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

2. Statutory acknowledgements

The statutory acknowledgements are:

The statements of association of Ngāruahine are set out below. These are statements of the particular cultural, spiritual, historical and traditional association of Ngāruahine with identified areas.

- Awatuna Stream and its tributaries (as shown on deed plan OTS-023-18);
- Inaha Stream and its tributaries (as shown on deed plan OTS-023-35);
- Kahouri Stream and its tributaries (as shown on deed plan OTS-023-36);
- Kapuni Stream and its tributaries (as shown on deed plan OTS-023-37);
- Kapuni Stream-Ohawe Marginal Strip (as shown on deed plan OTS-023-06);
- Kaupokonui-a-Turi (being Kaupokonui Recreation Reserve) (as shown on deed plan OTS-023-08);
- Kaupokonui-Manaia Marginal Strip (as shown on deed plan OTS-023-07);
- Kaupokonui Stream and its tributaries (as shown on deed plan OTS-023-19);
- Kaupokonui Stream Marginal Strip (as shown on deed plan OTS-023-12);
- Konini Stream and its tributaries (as shown on deed plan OTS-023-38);
- Manganui River and its tributaries (as shown on deed plan OTS-023-20);
- Mangarangi Stream and its tributaries (as shown on deed plan OTS-023-39);
- Mangatawa Stream and its tributaries (as shown on deed plan OTS-023-21);
- Mangatoki Stream and its tributaries (as shown on deed plan OTS-023-40);
- Mangatoromiro Stream and its tributaries (as shown on deed plan OTS-023-41);
- Mangawhero Stream and its tributaries (as shown on deed plan OTS-023-22);
- Mangawhero Stream Marginal Strip (as shown on deed plan OTS-023-13);
- Motumate Stream and its tributaries (as shown on deed plan OTS-023-42);
- Ngāruahine Coastal Marine Area (as shown on deed plan OTS-023-56);
- Oeo-Kaupokonui Marginal Strip (as shown on deed plan OTS-023-09);
- Oeo Stream and its tributaries (as shown on deed plan OTS-023-23);
- Ohawe-Hawera Marginal Strip (as shown on deed plan OTS-023-10);
- Omiti Stream and its tributaries (as shown on deed plan OTS-023-24);
- Opuhi Stream and its tributaries (as shown on deed plan OTS-023-43);
- Otakeho Stream and its tributaries (as shown on deed plan OTS-023-25);
- Ouri Stream and its tributaries (as shown on deed plan OTS-023-26);
- Ouri Stream Marginal Strip (as shown on deed plan OTS-023-14);
- Paetahi Stream and its tributaries (as shown on deed plan OTS-023-27);
- Patea River and its tributaries (as shown on deed plan OTS-023-28);
- Piakau Stream and its tributaries (as shown on deed plan OTS-023-44);
- Pūnehu Stream and its tributaries (as shown on deed plan OTS-023-29);
- Rāoa Stream and its tributaries (being Rāwa Stream and its tributaries) (as shown on deed plan OTS-023-30);
- Taikatu Stream and its tributaries (as shown on deed plan OTS-023-31);
- Taungatara Stream and its tributaries (as shown on deed plan OTS-023-32);
- Tawhiti Stream and its tributaries (as shown on deed plan OTS-023-45);
- Te Popo Stream and its tributaries (as shown on deed plan OTS-023-46);
- Tuikonga Stream and its tributaries (as shown on deed plan OTS-023-47);
- Wahamoko Stream and its tributaries (as shown on deed plan OTS-023-48);
- Waihi Stream (Hawera) and its tributaries (as shown on deed plan OTS-023-49);
- Waihi Stream (Oeo) and its tributaries (as shown on deed plan OTS-023-50);
- Waikaretu Stream and its tributaries (as shown on deed plan OTS-023-51);
- Waimate Stream and its tributaries (as shown on deed plan OTS-023-52);
- Waingongoro River and its tributaries (as shown on deed plan OTS-023-33);
- Waingongoro River No 1 Marginal Strip (as shown on deed plan OTS-023-15);
- Waingongoro River No 2 Marginal Strip (as shown on deed plan OTS-023-16);
- Waingongoro River No 4 Marginal Strip (as shown on deed plan OTS-023-11);
- Waingongoro Stream Marginal Strip (as shown on deed plan OTS-023-17);
- Waiokura Stream and its tributaries (as shown on deed plan OTS-023-53);
- Waipaepaeiti Stream and its tributaries (as shown on deed plan OTS-023-54);

- Waipaepaenui Stream and its tributaries (as shown on deed plan OTS-023–34); and
- Waipuku Stream and its tributaries (as shown on deed plan OTS-023–55).

STATEMENTS OF ASSOCIATION

Kanihi-Umutahi

The tuturu takiwa of the Kanihi-Umutahi hapū is described as:

*"E tu e tu ki tai e tu e tu ki uta
mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao
tai noa ki te ngutu awa o Waingongoro ki Wairere
piki ake ki te tihi o Maunga Taranaki
huri noa ki te Tonga haere tonu ki te awa o Waingongoro"*

Likewise the hapū describe their whanaungatanga takiwa as:

*"E tu e tu ki tai e tu e tu ki uta
mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao
tai noa ki te ngutu awa o Waihi ki Inaha
piki ake ki te tihi o Maunga Taranaki
huri noa ki te Tonga haere tonu ki te awa o Waihi"*

According to tribal history, the people of this hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Ranguamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake.

They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.

Kanihi-Umutahi has a very close relationship with the people of Okahu-Inuawai, not only because of the physical proximity to one another, but because of their shared inter hapū ancestry. Puawhato was a warrior chief and tupuna of the Kanihi people. His sister Hinekoropanga was an important tupuna kuia of the Okahu-Inuawai people. Each resided in their own Pa which were along the Waingongoro river, Tau-te-one belonging to Puawhato and his people and Okahutiti belonging to his sister and her people.

The Kanihi-Umutahi people have historically resided on both the western and eastern banks of the Waingongoro River. The ancient Pa Kanihi, takes its name from the tribes people and is located on the eastern bank of the river on a block of land known as Te Rua o Te Moko. They have been variously known or referred to as the 'Umutahi', 'Ketetahi' and 'Mawhitiwhiti' people, but choose to identify themselves today as 'Kanihi'.

*Ko Te Rangatapu te Takutaimoana
Ko Te Rangatapu me Te Kawau nga Tauranga Waka
Ko Waingongoro te Awa
Ko Umutahi me Te Rua O Te Moko nga Whenua
Ko Kanihi te tangata*

The various awa located within the takiwa of Kanihi has great spiritual importance and are "the blood and veins of the takutaimoana". The wai that flows through these awa symbolises the link between the past and the present, each with its own mauri and wairua which connects hapū with the awa and the spiritual world providing both physical and spiritual sustenance to its people.

The domain of Tangaroa extends from the source of these awa, "te piki ake o Maunga Taranaki" to the moana. They are linked and together form an entity that includes its source, and the moana. As a result, the relationship the various hapū have with these awa relates to the entire catchment. The tangible linkages provide them with a system of ara, or pathways throughout their takiwa enabling hapū access in inland. River travel was important to all hapū for both economic and social reasons.

Mahinga kai

The rivers in the takiwa of Kanihi were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu. Pa tuna and hinaki were constructed all along the rivers and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places were tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the abundant birdlife also provided a crucial element of hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction and trading. It also provided a habitat for many forms of life. Pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu is the spiritual guardian of the moana and other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms that abound within his domain. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from these awa and ngahere was central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are all essential for maintaining customary traditions - the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, associated lands, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe along with the associated lands and natural resources.

The rivers and streams which are located within the Kanihi-Umutahi takiwa are the following:

Paetahi Stream
Tuikonga Stream
Mangarangi Stream
Mangatoki Stream
Inaha Stream (boundary with Ngati Manuhiakai)
Waingongoro
Waihi Stream
(Hawera)
Tawhiti Stream
Waipuku Stream
Te Popo Stream
Piakau Stream
Konini Stream
Patea River
Ngaere Stream
Mangimangi Stream
Kaitimako Stream
Kahori Stream, Manapukeakea Stream

Okahu-Inuawai

The tuturu takiwa of the Okahu-Inuawai hapū extends, "from seaward on the eastern mouth of the Waingongoro awa to the Maunga, thence turning following the western side of the Wairere Stream back to seaward, Tawhiti-nui, Hawaiki-nui, Tawhiti-roa, Hawaiki-roa, Tawhiti-pamamao, Hawaiki-pamamao. The hapū claim that their whanaungatanga takiwa begins "from the mouth of the Waihi Stream of Ngati Ruanui Iwi in the east, and extends to the mouth of the Inaha Stream of Ngati Manuhiakai in the west, back to seaward".

According to tribal history, the people of Okahu are the descendants of the tangata whenua tribes who arrived at Te Rangatapu aboard the waka Te Rangiamutu, captained by Tamatea-Rokai. The tangata whenua tribes were known as Kahui-maunga, Kahui toka, Kahui-rere, Te Kahui Tuu, Maru-iwi and Te Tini-o-tai-tawaro, Te Kahui-Ruu and Te Kahui Tawake.

This hapū also claims ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.

The relationship between the Okahu and Kanihi hapū is very strong, not only because of their physical proximity to one another, but because of their shared ancestry. Hinekoropanga the tupuna of the hapū was an important kuia not only to her hapū but she played a significant role within the tribe of Ngāruahine. Her brother was Puawhato a warrior chief and tupuna of the Kanihi-Umutahi people. Both sister and brother resided on the Waingongoro River, their Pa being adjacent to one and other. Okahutiti, which became an important Pa during the intertribal skirmishes with the Ngapuhi tribe, was the stronghold of Hinekoropanga and her people. The hapū have historically resided on the western and eastern banks of the Waingongoro river. Although they choose to identify their hapū with the name 'Okahu' they are also referred to as the Inuawai people.

*Ko Te Rangatapu te Takutaimoana
Ko Te Rangatapu me Te Kawau nga Tauranga Waka
Ko Waingongoro te Awa
Ko Okahu me Inuawai nga Whenua
Ko Okahu te tangata*

Several lores abound relating to Tamawhero another well known chief of this hapū. His reputation of being a person steeped in knowledge was unrivalled. One such lore relates to a taua of Nga Puhi who were making their way down the west coast of the north island with the intent to take the lands of Taranaki and in particular the Waimate Plains. Nga Puhi had heard about Tamawhero and were known to have said, "if we cannot match him in knowledge, we will defeat him in battle". The taua set about making plans to cross the Plains and in so doing taking the various Pa that stood in their way, first attacking Waimate Pa while the men were all away at a fishing expedition. Once defeated they set forth for Okahutiti. The tupuna kuia of Okahu hapū Hinekropanga, was married to a chief of one of the neighbouring Pa that had been attacked. She was able to escape and warn the men at sea and her people of Okahutiti. A taua was formed using the menfolk of neighbouring Ngāruahine Pa, and together they defeated the Nga Puhi at Okahutiti. The name given to this battle was, Huru-pari, "the turning of the cliff".

According to traditional lore, another significant event relating to Tamawhero was the chiefs discovery of Aniwanuiwa, a descendant of Takarangi and Rau-mahora. Tamawhero found Aniwanuiwa, as a baby, lying in a harakeke bush. He was wrapped in a topuni, a dogskin cloak, which signified his high rank. The baby was adopted by Tamawhero and raised alongside his biological son Tonga Awhikau. Aniwanuiwa married Tawhirikura and a son of this marriage was the second to bear the name Te Whiti. This second Te Whiti married Whakairi and their son was named Tohu-kakahi who in turn married Rangi-kawau and their son, the third to bear the name Te Whiti, became the prophet of Parihaka.

The awa that are located within the Okahu takiwa have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga with each providing both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

Mahinga kai

The rivers in the Okahu takiwa were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the rivers in the Okahu takiwa, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke and much birdlife were also a crucial element of hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. They also provided a habitat for many forms of life. Pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana and other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngāhere and all life forms within this environment. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from various awa and ngāhere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are all essential for maintaining customary traditions, including the ritual and tapu associated with gathering.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their takiwa, associated lands, and associated resources.

The rivers and streams which are located within the Okahu takiwa are the following:

Paetahi Stream
Tuikonga Stream
Mangarangi Stream
Mangatoki Stream
Inaha Stream (boundary with Ngati Manuhiakai)
Waingongoro
Waihi Stream (Hawera)
Tawhiti Stream
Waipuku Stream
Te Popo Stream
Piakau Stream
Konini Stream
Patea River
Ngaere Stream
Mangimangi Stream
Kaitimako Stream
Kahori Stream
Manapukeakea Stream

Ngati Manuhiakai

The takiwa of the Ngati Manuhiakai extends from the tip of Maunga Taranaki into Te Moana O Tangaroa taking in Te Rere o Kapuni and Inaha Rivers. From east to west, the boundary extends from the western banks of the Waingongoro River to the eastern banks of the Raoa Stream.

Ngateko on the Kapuni stream is one of the original landing places of the Wakaringaringa waka, captained by Mawakeroa, the other being Kaupokonui. Many of the people on that waka took up settlement here. The Kapuni stream marks the boundary between the takiwa of Ngati Manuhiakai and Ngati Tu hapū.

Ngati Manuhiakai also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went.

*Ko Aotea te Waka
Taranaki te Maunga
Te Rere O Kapuni me Inaha nga Awa
Te Aroha O Titokowaru Ki Toona Marae
Ngati Manuhiakai te hapū
Ngaruahine-Rangi te Iwi
Inaha te Tauranga-waka.
Aotea is our waka
Taranaki our mountain
Te Rere O Kapuni and Inaha our Rivers
Te Aroha O Titokowaru Ki Toona our marae
Ngati Manuhiakai our sub-tribe
Ngaruahine-Rangi our Tribe
Inaha our Tauranga-waka.*

The various awa that are located within the takiwa of Ngati Manuhiakai have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

The tangible linkages between these awa provided the hapū with a system of ara, or pathways throughout the takiwa, whereby allowing hapū access inland. River travel was important to hapū for both economic and social reasons.

Mahinga kai

The rivers flowing through Ngati Manuhiakai were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe and associated lands and associated resources.

The rivers which are located within the Ngati Manuhiakai rohe are the following:
Kapuni Stream (boundary with Ngati Tu)
Inaha Stream (boundary with Umutahi Inuawai).

Ngati Tu

Ngateko on the Kapuni Stream was one of the original landing places of the Wakaringaringa waka captained by Mawakeroa, the other being Kaupokonui. Many of the people on that waka took up settlement there with the Kapuni stream acting as a marker between for the boundary between the takiwa of Ngati Manuhiakai and Ngati Tu hapū.

Ngati Tu also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and traversed via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Kaupokonui River and Maraekura.

The name of the flat lands adjacent to the Kaupokonui River and lying between Pukekohe Pa and the Taoratai kainga is Maraekura, 'courtyard of the precious heirloom Huna-kiko' Turi had brought with him from Hawaiki-Rangiatea. This cloak was used for ceremonial purposes on multiple occasions during Turi and his people's time in Taranaki and it was during one of these occasions that Maraekura was named. According to sources Turi and his companions who included his son Turangaimua, and the tohunga Tapo, Kauika, Tuau, Hau-pipi, and Rakeiora, constructed an altar on Maraekura and spread the cloak upon it. The name therefore refers to this ceremony and the spreading of this 'precious heirloom' which represented the mana of Turi.

The various awa that are located within the takiwa of Ngati Tu have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the relationship the hapū have with these awa relates to the entire catchment. The tangible linkages between these awa provide the hapū with a system of ara, or pathways throughout their respective takiwa, allowing access inland. River travel was important to hapū for both economic and social reasons.

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Mahinga kai

The rivers flowing through Ngati Tu were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe and associated lands, and associated resources.

The rivers which are located within the Ngati Tu rohe are the following:

Kaupokonui Stream

Mangawhero Stream

Motumate Stream

Waiokura Stream

Otakeho Stream (boundary with Ngati Haua)

Kapuni Stream (boundary with Ngati Manuhiakai).

Ngati Haua

The Ngati Haua hapū claim that their tuturu rohe extends "seaward from the mouth of the Otakeho Stream following it inland to the Maunga, thence turning and following the eastern side of the Raoa Stream back to seaward, Tawhiti-nui, Hawaiki-nui, Tawhiti-roa, Hawaiki-roa, Tawhiti-pamamao, Hawaiki-pamamao. They claim that their whanaungatanga rohe extends from the western side of the Kaupokonui River of the Ngati Tu hapū, to the eastern side of the Wahamoko Stream.

The hapū traces their origin to the union between the tupuna of Ngati Haua, Te Auroa, and Hinengakau, the great ancestress of Atihaunui-a-Parangi from Whanganui. They also claim ancestry from the Aotea Utanganui waka, captained by Turi-te-Ariki-nui. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Raoa River.

The Raoa takes its name from an incident which involved Turi during his travels throughout the motu. After catching and cooking some tuna from the river, Turi being extremely hungry, devoured the tuna so quickly that a number of tuna bones became lodged in his throat. His wife, Rongorongo, asked the gods to save her husband. Turi, angry for this happening lay a curse upon the creek, proclaiming that no tuna should henceforth live in the river. He subsequently named it Raoa, to choke. Centuries later, a tupuna koro, Te Hui removed the curse and tuna once again returned to the river.

The various awa that are located within the takiwa of Ngati Haua have great spiritual importance, they are, "the blood and veins of the takutaimoana, each of them with a story to tell." The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

The domain of Tangaroa extends from the source of these awa "te piki ake o Maunga Taranaki" to the moana. Each awa is linked and together form an entity that includes its source, and the moana. As a result the

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Mahinga kai

The rivers flowing through Ngati Haua were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

The resources of the wetlands including harakeke along with the birdlife which were crucial to the hapū sustenance systems. Harekeke supplied material for rongoa, weaving, construction, and trading. It also provided a habitat for many forms of life. Both pukeko and native ducks were caught in the wetlands and were not only an important food source but provided the hapū with feathers which were used for many purposes.

The hapū regard all natural resources as being gifts from Atua kaitiaki. Tangaroa-i-te-Rupetu Tangaroa is the spiritual guardian of the moana, other water bodies and all that lives within them. Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within the ngahere. These guardians were central to the lives of hapū tupuna and remain culturally significant to the hapū whanau living in the present day.

Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their rohe and associated lands and resources.

The rivers which are located within the Ngati Haua rohe are the following:

Raoa Stream
Wahamoko Stream (boundary with Ngati Tamaahuroa-Titahi)
Opuhi Stream
Waikaretu Stream
Otakeho Stream (boundary with Ngati Tu)
Taikatu Stream
Awatuna Stream.

Ngati Tamaahuroa-Titahi

The Ngati Tamaahuroa-Titahi takiwa extends from the mouth of the Taungatara Stream in the west to the mouth of the Raoa stream in the east, and thence from the moana to the Maunga. The Ngati-Tamaahuroa-Titahi hapū are descendants of the people who landed at Oeo on the waka captained by Whiro in the fourteenth century.

Ngati Tamaahuroa-Titahi share common ancestry with the Taranaki iwi. The eponymous ancestor Rua Taranaki came, originated from Taupo but he re-settled on the Hangaataahua River, and was the first in a long line of Taranaki rangatira.

Ngati Tamaahuroa-Titahi also claim ancestry from the Aotea Utanganui waka which was captained by Turi. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went.

Ngati Tamaahuroa-Titahi have occupied their takiwa for generations, and throughout their history they have for the most part, co-existed peacefully with neighbouring hapū and iwi around them. There have been some occasions of conflict however, and one of these occurred when the people of Rangatapu Pa sent out a war party who sought fugitives from an iwi who had caused them offense. They came into the Ngati Tamaahuroa

lands and said to the people, "Live in peace; we have no quarrel with you". Ngati Tamaahuroa had in fact met with and been influenced by the offending fugitives and took up arms against the Rangatapu people to avenge them. They were summarily defeated and their lands taken, but because they were strong in numbers they were able to once again become a powerful tribe.

The various awa that are located within the takiwa of Ngati Tamaahuroa-Titahi have great spiritual importance and are "the blood and veins of the takutaimoana, each of them with a story to tell". The wai that flows through these awa symbolises the link between the past and the present. Each awa has its own mauri and wairua which connect the hapū with the river and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.

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The tangible linkages between these awa provided the hapū with a system of ara, or pathways throughout the takiwa, whereby allowing hapū access inland. River travel was important to hapū for both economic and social reasons.

Mahinga kai

The rivers flowing through Ngati Tamaahuroa-Titahi were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.

Pa tuna and hinaki were constructed all along the river, and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons. A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites.

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Matauranga associated with the collection of resources from the various awa and ngahere were central to the lives of the hapū tupuna and remains a significant part of the cultural identity of the hapū today. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources.

The hapū have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land, flora and fauna. The hapū have a responsibility as kaitiaki in accordance with their kawa and tikanga to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to present day whanau as it was to their tupuna. The continued recognition of the hapū, their identity, traditions and status as kaitiaki is entwined with the rivers in their takiwa and associated lands and associated resources.

The rivers which are located within the Ngati Tamaahuroa-Titahi rohe are the following:

Taungatara River
Punehu Stream
Manganui Stream
Waipaepaenui Stream
Waipaepaeiti Stream
Mangatoromiro Stream
Mangatawa Stream
Oeo Stream
Wahamoko Stream
Waimate Stream
Ouri Stream
Raoa Stream (boundary with Ngati Haua)

STATEMENTS OF ASSOCIATION FOR MARGINAL STRIP SITES

Kaupokonui Stream No 2 Marginal Strip (as shown on deed plan OTS-023-12)		
Site Type		Ngāruahine association (history, significance) Kaupokonui is the name of both a river and settlement. In the twelfth century this area was one of the original landing sites of the ancestral waka Wakaringiringi captained by Mawakeroa. The people of this waka were known to have taken up settlement here. Kaupokonui is a coastal waahi where Ngati Tu resided, cultivated, hunted, gathered food and fished. The river continues to be used by the people of the hapū right up to this present time.
Location		
Description of Site	Marginal Strip	
Ngāruahine Tupuna association		
Ngāruahine hapū association	Ngati Tu	
Pepeha, waiata or whakatauki		

Mangawhero Stream Marginal Strip (as shown on deed plan OTS-023-13)		
Site Type		Ngāruahine association (history, significance) The Ngati Haua hapū claim that their tuturu rohe extends "seaward from the mouth of the Otakeho Stream following it inland to the Maunga, thence turning and following the eastern side of the Raao Stream back to seaward". Their whanaungatanga rohe extends from the western side of the Kaupokonui river of the Ngati Tu hapū, to the eastern side of the Wahamoko Stream. The various river environs that are located within the takiwa of Ngati Haua and Ngati Tu have great spiritual importance, they are, "the blood and veins, each with a story to tell." The wai that flows through these areas symbolises the link between the past and the present. Each has its own mauri and wairua which connect these two hapū with the river environs and the spiritual world. They are significant taonga that provide both physical and spiritual sustenance.
Location		

Waingongoro River No1 Marginal Strip (as shown on deed plan OTS-023-15)		
Site Type		Ngāruahine association (history, significance) According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake. They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.
Location		
Description of Site	Marginal Strip	
Ngāruahine Tupuna association		
Ngāruahine hapū association	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	
Pepeha, waiata or whakatauki	Tuturu <i>"E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro"</i> Whanaungatanga <i>"E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui,</i>	

	<i>Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waihi"</i>	
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Waingongoro River No 2 Marginal Strip (as shown on deed plan OTS-023-16)		
Site Type		Ngāruahine association (history, significance) According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake. They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.
Location	Marginal Strip	
Description of Site		
Ngāruahine Tupuna association		
Ngāruahine hapū association	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	
Pepeha, waiata or whakatauki	<i>Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro" Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waihi"</i>	

Waingongoro River No 4 Marginal Strip (as shown on deed plan OTS-023-11)		
Site Type		Ngāruahine association (history, significance) According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake. They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.
Location	Marginal Strip	
Description of Site		
Ngāruahine Tupuna association		
Ngāruahine hapū association	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	
Pepeha, waiata or whakatauki	<i>Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro" Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waihi"</i>	

Ouri Stream Marginal Strip (as shown on deed plan OTS-23-14)		
Site Type		Ngāruahine association (history, significance)
Location		

Description of Site	Marginal Strip	<p>Kaupokonui is the name of both a river and settlement. In the twelfth century this area was one of the original landing sites of the ancestral waka Wakaringiringi captained by Mawakeroa. The people of this waka were known to have taken up settlement here.</p> <p>Kaupokonui is a coastal waahi where Ngati Tu resided, cultivated, hunted, gathered food and fished. The river continues to be used by the people of the hapū right up to this present time.</p>
Ngāruahine Tupuna association		
Ngāruahine hapū association	Ngati Tu	
Pepeha, waiata or whakatauki		

Oeo-Kaupokonui Marginal Strip (as shown on deed plan OTS-023-09)		
Site Type		Ngāruahine association (history, significance)
Location		<p>The river environs shared between all three hapū were abundant with fish species resources, including tunaheke, piharau, kahawai, inanga, pakotea and kokopu.</p> <p>Pa tuna and hinaki were constructed all along the rivers of each hapū and there was much tribal lore and skill pertaining to the catching of tuna. Gathering and processing tuna was a customary practice that strengthened cultural systems and whanaungatanga.</p> <p>A complex system of hapū and whanau rights operated and the places where tupuna harvested their tuna were important cultural and social sites. Matauranga and associated tikanga, kawa and karakia are essential for maintaining customary traditions along with the ritual and tapu associated with gathering and utilising resources and remains as significant and important today as it was to their tupuna.</p>
Description of Site	Marginal Strip	
Ngāruahine Tupuna association		
Ngāruahine hapū association	Ngati Tamaahuroa me Titahi Ngati Haua Ngati Tu	
Pepeha, waiata or whakatauki		

Kaupokonui-Manaia Marginal Strip (as shown on deed plan OTS-023-07)		
Site Type		Ngāruahine association (history, significance)
Location		<p>Kaupokonui is the name of both a river and settlement. In the twelfth century this area was one of the original landing sites of the ancestral waka Wakaringiringi captained by Mawakeroa. The people of this waka were known to have taken up settlement here.</p> <p>Kaupokonui is a coastal waahi where Ngati Tu resided, cultivated, hunted, gathered food and fished. The river continues to be used by the people of the hapū right up to this present time.</p>
Description of Site	Marginal Strip	
Ngāruahine Tupuna association		
Ngāruahine hapū association	Ngati Tu	
Pepeha, waiata or whakatauki		

Ohawe-Hawera Marginal Strip (as shown on deed plan OTS-023-10)		
Site Type		Ngāruahine association (history, significance) According to tribal history, the people of these two hapū are the descendants of the tangata whenua tribes who landed at Te Rangatapu on the Te Rangiuamutu waka, captained by Tamatea-Rokai. The tangata whenua tribes were known as Te Kahui-Maunga, Te Kahui-Toka, Te Kahui-Rere, Te Kahui-Tuu, Te Maru-Iwi and Te Tini-o-Tai-Tawaro, Te -ahui-Ruu Te-Kahui-Po and Te-Kahui-Tawake. They also claim ancestry from the Aotea Utanganui waka which was captained by Turi-te-Ariki-nui. Aotea Utanganui set off from Hawaiki and travelled via Rangitahau (Kermadec Islands) and Tamaki before landing at the Aotea harbour. During the fourteenth century, Turi, with his wife Rongorongo and their people, travelled south along the coast naming many places as they went including the Waingongoro River.
Location		
Description of Site	Marginal Strip	
Ngāruahine Tupuna association		
Ngāruahine hapū association	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi)	
Pepeha, waiata or whakatauki	Tuturu "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waingongoro ki Wairere piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waingongoro" Whanaungatanga "E tu e tu ki tai e tu e tu ki uta mai Tangaroa ki Hawaikinui Tawhitinui, Hawaikiroa Tawhitiroa, Hawaikipamamao Tawhitipamamao tai noa ki te ngutu awa o Waihi ki Inaha piki ake ki te tihi o Maunga Taranaki huri noa ki te Tonga haere tonu ki te awa o Waihi"	

Kapuni-Ohawe Marginal Strip (as shown on deed plan OTS-23-06)		
Site Type		Ngāruahine association (history, significance) The takiwa of the Ngati Manuhiakai extends from the tip of Maunga Taranaki into Te Moana O Tangaroa taking in Te Rere o Kapuni and Inaha Rivers. From east to west, the boundary extends from the western banks of the Waingongoro River to the eastern banks of the Raoa Stream. Ngateko on the Kapuni stream is one of the original landing places of the Wakaringaringa waka, captained by Mawakeroa, the other being Kaupokonui. Many of the people on that waka took up settlement here. The Kapuni stream marks the boundary between the takiwa of Ngati Manuhiakai and Ngati Tu hapū. The continued recognition of each of these hapū, their identity, traditions and status as kaitiaki is entwined with the river environs in their takiwa, associated lands, and associated resources.
Location		
Description of Site	Marginal Strip	
Ngāruahine Tupuna association		
Nāaruahine hapū association	Kanihi-Umutahi (me etehi) Okahu-Inuawai (me etehi) Ngati Manuhiakai	
Pepeha, waiata or whakatauki	Ko Aotea te Waka Taranaki te Maunga Te Rere O Kapuni me Inaha nga Awa Te Aroha O Titokowaru Ki Toona Marae Ngati Manuhiakai te hapū Ngaruahine-Rangi te Iwi Inaha te Tauranga-waka. Aotea is our waka Taranaki our mountain Te Rere O Kapuni and Inaha our Rivers Te Aroha O Titokowaru Ki Toona our marae Ngati Manuhiakai our sub-tribe Ngaruahine-Rangi our Tribe Inaha our Tauranga-waka.	

Appendix XH: Te Atiawa statutory acknowledgements

1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 53 of the Te Atiawa Claims Settlement Act 2006, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 2 of the Te Atiawa Claims Settlement Act 2006, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

The statements of association of Te Atiawa are set out below. These are statements of the particular cultural, spiritual, historical, and traditional association of Te Atiawa with identified areas.

Awa te Take Pa Historic Reserve (as shown on deed plan OTS-043-08)

This site is in the rohe of Otaraua Hapu and is located on the banks of the Waitara River. Awa Te Take is an ancient site and was a papakainga and defensive pa. As a defensive pa, the steep jagged riverside cliffs afforded perfect protection. Significant features such as earthwork defenses (ditch bank) and the remnants of prehistoric lowland forest remain visible today.

The social, cultural and historical importance of Awa Te Take Historic Reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce tribal identity.

Awa te Take Scenic Reserve (as shown on deed plan OTS-043-09)

Awa te Take Awa te Take Scenic Reserve is on the banks of Waitara River and is in the rohe of Otaraua Hapu.

The social, cultural, historical and spiritual importance of Awa te take Pa is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Bayly Road Conservation Area (as shown on deed plan OTS-043-23)

The site is located at the edge of Waitapu Urupa at Nga Motu (islands) beach, New Plymouth and is in the rohe of Ngati Te Whiti.

Waitapu is named after the stream which takes its name from an incident which arose during the siege of Otaka Pa by neighbouring northern iwi in 1832. When discussing terms for peace a chief from the neighbouring iwi, sought permission to go into Otaka to hold a tangi for his dead warriors. One inhabitant, Te Whau, ran out towards the taua, was killed and her body dismembered and thrown into the stream. The stream was then called Waitapu - wai (water) and tapu (sacred). This stream still runs through Waitapu Urupa today.

In 1923 Ngati Te Whiti members petitioned the government for the return of the urupa this occurred in 1927 when the land was vested as an urupa through the Maori Land Court. Waitapu was the first cemetery in New Plymouth and the first recorded burial was Mary Ann Barrett in 1840. In 1847 the whaler Richard Barrett died after an accident and was also buried at Waitapu. During the excavations for the New Plymouth power station in 1970s ko iwi (bones) were uncovered at Paritutu and were reinterred at Waitapu. The ko iwi were carbon dated to the 1600s.

Over the years many Maori and Pakeha have been laid to rest at Waitapu. Waitapu remains open as an urupa and is the final resting place for many Ngati Te Whiti members. The value of the site today is its proximity to Waitapu Urupa and its current use as an access way in to the Waitapu Urupa.

Everett Park Scenic Reserve (as shown on deed plan OTS-043-10)

Everett Park is located on the banks of the Maunganui River in the rohe of Pukerangiora Hapu.

The social, cultural, historical and spiritual importance of Everett Park is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Huatoki Stream Marginal Strip (as shown on deed plan OTS-043-33)

The sites are in the rohe of Ngati Te Whiti Hapu and take their name from the Huatoki River and their close proximity to it. The Huatoki is named after the titoki tree which grows profusely in the area.

The Huatoki River, and surrounding environment were important for their resources. Along and near its banks were solid stands of timber, flax and raupo. Aside from providing a source of water, the river was plentiful in fish, whitebait, and lamprey. The banks were used as a walkway to other papakainga and as a highway to the coast. Several papakainga were located along the river including Te Kawau, Pukaka, Mawhera, Maripu and Okoare. Nohoanga were also located in key resource gathering areas and were used by hapu members in the summer months to gather resources and escape the heat. Disputes/competition for these resources caused several battles between Te Atiawa hapu. Two such battles are remembered today in Korero tawhito. The first was a dispute over piharau fishing rights between Te Rangi Apiti Rua of Puke Ariki, and of Manu Kino of Waimanu. The other occurred when the rangatira, Koronerea, ambushed and attacked a taua who were hunting on the banks of the Huatoki. The battle was named Pakirikiri because the bodies resembled pakirikiri, the rock eyed cod.

During the Land Wars, British soldiers used a track along the Huatoki from Pukaka/Marsland Hill to the centre of town which was named Red Coat Lane. The river today is valued because of its rich bush stands, its conservation values and landscape aesthetics.

Huirangi Recreation Reserve (as shown on deed plan OTS-043-25)

The Huirangi Recreation Reserve is located on inland and is in the rohe of Pukerangiora Hapu.

The social, cultural, historical and spiritual importance of the Huirangi Recreation Reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Katere Scenic Reserve (as shown on deed plan OTS-043-11)

Katere is located in Fitzroy, New Plymouth and is in the rohe of Ngati Tawhirikura Hapu.

The social, cultural, historical and spiritual importance of Katere is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Mahoetahi Historic Reserve (as shown on deed plan OTS-043-12)

Mahoetahi is located at the junction of the highway north and Mountain Road, Bell Block and is in the rohe of Puketapu hapu. Historically it was a pa site located on a small hill surrounded on three sides by a flax and raupo swamp. The approach to the pa was by a ridge from a plain on the north east side. It closely identified with another nearby pa called Nga Puke Turua.

During the land wars it was a site of a major battle involving local and neighbouring iwi against a force of about 1000 soldiers, and colonial militia. Outnumbered and on a site which was ill equipped for battle, the taua was quickly defeated and about fifty were killed and another third wounded. The chiefs were buried at St Mary's Church, New Plymouth and the others at Mahoetahi.

Mahoetahi is important to Puketapu because of its cultural and historical significance. It is a former pa, a Land Wars Site and an urupa. The significance of Mahoetahi is recognised nationally through its NZ Wars Graves rating.

Makara Scenic Reserve (as shown on deed plan OTS-043-13)

This site is located on the banks of the Waitara river and is in the rohe of Otaraua and Pukerangiora hapu.

The social, cultural, historical and spiritual importance of Makara Scenic Reserve illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Mangahinau Esplanade Reserve (as shown on deed plan OTS-043-26)

This site is on the Waitara River and is in the rohe of Otaraua Hapu.

The social, cultural, historical and spiritual importance of Mangahinau Esplanade Reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Ngahere Scenic Reserve (as shown on deed plan OTS-043-27)

Te Ngahere was a small pa on the outer reaches of the great Ngati Tuparikino papapkainga, Tupare. Tupare was located on the banks of the Waiwhakaiho River and was built to the landscape which rose steadily from the river. This site is named Te Ngahere because it was covered in bush.

Tupare and Te Ngahere were abandoned in the wake of the 1830s invasion by a northern iwi and the habitants fled to Otaka at Nga Motu. In the 1830s Ngati Tuparikino returned to the area to live but did so in small whanau villages, rather than big pa sites. The only remainder of the original pa sites today are their names.

Today, Te Ngahere is a reserve in a small sheltered steep gully. In the mid-twentieth century it was replanted in exotics to replace the original bush, most of which had gone. Te Ngahere still attracts bird life, especially fantail, pigeon and tui. The value of Te Ngahere is its ancestral connection and historical association with the great Tupare papakainga.

**Ngangana Pa (being Manukorihi Recreation Reserve)
(as shown on deed plan OTS-043-14)**

The site is located on the east side of the Waitara River in the rohe of Otaraua and Manukorihi hapu.

The social, cultural, historical and spiritual importance of the Manukorihi Recreation reserve is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

**Papamoa (being Meeting of the Waters Scenic Reserve)
(as shown on deed plan OTS-043-15)**

Papamoa is located on the banks of the Waiwakaiho River in the rohe of Ngati Te Whiti. The site is above a river bend which was later named the meeting of the waters because of the turbulent river flow at that point. The site was named Papamoa because the land around which it was located was as soft as a garden bed.

Papamoa was also a nohoanga, a camping site inhabited at certain times of the year to gather seasonal resources such as mahinga kai (kei kei, fish, eels, tii) and as a retreat to escape the heat of the summer. Kei kei and Tii were still being harvested from this site by Ngati Te Whiti people in the 1950s. Papamoa was also used as a defensive lookout point and the site of several inter iwi battles. Papamoa was considered a tapu site because of the battles and many drownings in the turbulent river.

For Ngati Te Whiti the site still retains its tapu nature. Today the site is a significant example of extensive ring plain forests and is important for its biodiversity, conservation and recreational values.

Puketakauere Pa Historic Reserve (as shown on deed plan OTS-043-16)

This site is in the rohe of Otaraua Hapu. Puketakauere is an ancient pa site with a history characterised by both peaceful occupation and warfare. It was the site of one of the first battles of the first Taranaki War. At this time, the site included a ring ditch pa with an escape route through the nearby swamp, and an identical paa, Onukukaitara, which had covered passages and rifle pits. Due to the victory of Te Atiawa fighters over a large British military force at Puketakauere, the site, serves as a constant reminder for Te Atiawa of the courage and strength of Otaraua and Te Atiawa tupuna. The British built a Blockhouse on Onukukaitara once it had been abandoned by Te Atiawa. The site and the Battle of Puketakauere has an important place in the history of the Taranaki Wars and the New Zealand Wars, and continues to have significant educational, historical and symbolic value for Te Atiawa.

Robe Street Conservation Area (as shown on deed plan OTS-043-17)

The Ngati Te Whiti name for this area is Maramamao. Maramamao was located on the outer reaches of Puke Ariki Pa. Puke Ariki was a huge pa which stretched from the coast inland and was probably built by Te Rangī Apiti Rua sometime in the 1700s. In building the pa, Te Rangī Apiti Rua retained the landscape, a hill sloping upwards from the sea to a large flat area. The large flat area became the cultivation area Maramamao through which the stream, Mangaotuku, ran. The food resources of Maramamao supplied the people of Puke Ariki and nearby pa such as Mawhero and Pukaka.

There were other cultivation areas but Maramamao was the largest and most distant from the centre of the pa. Puke Ariki contained many marae and several urupa. One of the urupa, was located close to Maramamao where at least three chiefs, including Te Rangi Apiti Rua, are buried.

Puke Ariki, its constituent marae, urupa and cultivation area remain significant to Ngati Te Whiti and are expressed and remembered through constant Korero tawhito/oral history and daily cultural practices.

Sentry Hill Conservation Area (as shown on deed plan OTS-043-18)

Te Morere is an ancient pa located on a hill on the banks of the Waiongona. It was named Te Morere (the swing), because of the tall swing tree which stood on the site and from which the youth used to swing out and dive into the nearby river. It is located in the rohe of Puketapu hapu.

During the first Taranaki war, Te Morere was a lookout by Puketapu warriors to observe British military movements. In 1863 the British built a redoubt on Te Morere and called the site Sentry Hill. In 1864 Taranaki warriors, including from Te Atiawa, attacked the British redoubt at Te Morere resulting in the deaths of over 50 Maori. The battle of Te Morere is remembered through a haunting poem of mourning composed by Tamati Hone. The poem ends with a comparison of the dead at Te Morere to a wrecked and shattered fleet of waka:

*"How vain your valour, how vain your charge against Morere's walls
Lost on that rocky coast of death are all my crews
Tanui, Tokomaru, Kurahaupo, Aotea
Aue, my brave canoes, Lie broken on the shores."*

Today, the site is dissected by the road. Although there is very little physical evidence of its former glory, Te Morere remains in the cultural memory of Puketapu and Te Atiawa.

Sentry Hill Redoubt Historic Reserve (as shown on deed plan OTS-043-19)

Te Morere is an ancient pa located on a hill on the banks of the Waiongona. It was named Te Morere (the swing), because of the tall swing tree which stood on the site and from which the youth used to swing out and dive into the nearby river. It is located in the rohe of Puketapu hapu.

During the first Taranaki war, Te Morere was a lookout by Puketapu warriors to observe British military movements. In 1863 the British built a redoubt on Te Morere and called the site Sentry Hill. In 1864 Taranaki warriors, including from Te Atiawa, attacked the British redoubt at Te Morere resulting in the deaths of over 50 Maori. The battle of Te Morere is remembered through a haunting poem of mourning composed by Tamati Hone. The poem ends with a comparison of the dead at Te Morere to a wrecked and shattered fleet of waka:

*"How vain your valour, how vain your charge against Morere's walls
Lost on that rocky coast of death are all my crews
Tanui, Tokomaru, Kurahaupo, Aotea
Aue, my brave canoes, Lie broken on the shores."*

Today, the site is dissected by the road. Although there is very little physical evidence of its former glory, Te Morere remains in the cultural memory of Puketapu and Te Atiawa.

Te Henui Stream Conservation Area (as shown on deed plan OTS-043-28)

The site is on the banks of the Te Henui River, close to three papakainga, Pukewarangi, Puketarata and Parihamore and in the rohe of Ngati Te Whiti Hapu.

Te Henui means "the huge mistake" and refers to an incident that is no longer remembered. The Te Henui River and nearby papakainga were very important to Ngati Te Whiti. The three papakainga were close to each other and their occupants shared resources and strategies in times of conflict with other Hapu or Iwi. All sites are situated on the Te Henui River which was used for transport to the papakainga down river and on the coast.

The papakainga on the coast at the Te Henui river mouth were Purakau, Autere and Kerau. Fish and kaimoana were collected from the river and the nearby reef, Arakaia and these provided staple as well as gourmet food. Kaimoana and fish were gathered according to strict protocols to ensure sustainability and good health and customary practices such as manaakitanga. Although the resources were important for physical survival and customary practises were important, the land was always important for without it the Hapu had nothing. The relationship with the land and the landscape was that of kaitiaki-guardianship, survival and heritage. The land and its constituent resources were perceived in physical terms as ability to survive and secondly in spiritual terms as turangawaewae/birth right. The ultimate aim was communal well being and balance. From 1841 the land at the mouth of the Te Henui was set aside as reserves for the use of Ngati Te Whiti. During the

construction for the sea wall the shape of the mouth of the Te Henui was changed so that the river flows to the sea in a straight line.

Today, the only physical remains are those of the papakainga above as well as the reef, Arakaitai, from which Hapu members still gather kaimoana.

Waiongana Stream Conservation Area (as shown on deed plan OTS-043-29)

The resources of the lower reaches of the Waiongana supported many papakainga, such as Nga Puke Turua, Mahoetahi, Te Morere and Manutahi. The river itself provided an abundance of large tuna, koura, inanga and piharau. The banks of the river provided flax, manuka and raupo.

The reefs at the mouth of the Waiongana provided pipi, paua, kina, mussels, crab and seaweed. Hapu members would camp at the papakainga at the river mouth during the spring and summer specifically to gather kaimoana and larger ocean fish. The men would go out to fishing if the day and weather was right and only caught one species each day. Sometimes the fishing party met with disaster, as related in the following Korero tawhito (oral history). One morning about twenty waka and two hundred men prepared to set off to the Hapuka fishing grounds known as Waitawhetawheta. A dispute arose between two members about a particular seat on a particular waka during which fishing gear was thrown into the water. The offended party was the tohunga Mokeuhi who then refused to go out fishing. Whilst the fleet was at sea Mokeuhi conjured up an immense storm which devastated the fleet. There were only two survivors, Kawenui who beached at Urenui and Te Kohita who beached at Motupipi in the South Island.

Waipapa Road Conservation Area (as shown on deed plan OTS-043-30)

Waipapa is located on the banks of the Waitara River and is in the rohe of Otaraua and Manukorihi Hapu.

The social, cultural, historical and spiritual importance of the Waipapa Road Conservation Area is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waitara River No 1 Marginal Strip (as shown on deed plan OTS-043-20)

The site is part of the Waipapa Road Conservation Area/Nganana and is in the rohe of Otaraua hapu

The social, cultural, historical and spiritual importance of the Waitara River No.1 Marginal Strip is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waitara West Marginal Strip (as shown on deed plan OTS-043-31)

The site is located on the coast at the mouth of the Waitara River and is in the rohe of Puketapu and Otaraua Hapu.

The social, cultural, historical and spiritual importance of the Waitara West Marginal Strip is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waiwhakaiho River Mouth (Crown Land Conservation Area) (as shown on deed plan OTS-043-21)

This site is at the mouth of the Waiwhakaiho River on the edges of the great pa, Rewa Rewa. The site is located in the rohe of Ngati Tawhirikura and Ngati Te Whiti. The river mouth, the wetlands and associated water bodies were important because of its resources such as raupo (for thatching) water, ferns (for food and blankets) berries, birds, fish, flax (for clothing) and kaimoana reefs. Fish and whitebait, were caught from particular purpose built sites called whakaparu and these remain and continue to be used today. The sand dunes were used as gardens for food crops such as kumara and plants such as pingau, which was used to colour clothing flax. The sand dunes were also used as a temporary urupa because the heat of the sand assists the breaking down of the flesh. Often the ko iwi/bones were removed and interred elsewhere. Rewa Rewa was located on a hill above the river mouth and was an ancient pa which over the generations housed a large population.

The Waiwhakaiho River supported many papakainga from its river mouth to its source on Taranaki, such as Rewa Rewa, Waiwhakaiho, Raiomiti, Te Ngaere, Pukemapo, Te Renega, Pukeotepua and Papamoa. The river was used as a means of transport to nearby papakainga to trade food and taonga and to maintain whanaungatanga. The river is the boundary marker between Ngati Te Whiti and Ngati Tawhirikura and is embodied in pepeha, waiata and Korero tawhito.

RIVERS AND TRIBUTARIES

Herekawe Stream and tributaries (as shown on deed plan OTS-043-32)

The Herekawe is located to the south of New Plymouth and springs from the land and heads to the Tasman Sea. At its source it is very narrow but widens as it flows to the sea. The Herekawe is located within the rohe of the Ngati Te Whiti Hapu.

The Herekawe was, and is, socially and culturally important because of the freshwater and coastal mahinga kai resources it provided to generations of the Hapu and the many papakainga nearby such as Onuku Taipari, Te Mahoe, Moturoa, Mikotahi, Ruataka, Papawhero.

Two events of more recent times provide evidence of the continuing importance of the Herekawe as a boundary marker. In 2004, the Herekawe is used as one of the boundary indicators between Te Atiawa and Taranaki for their respective 2004 Fisheries Settlements. In 2008 the Herekawe was decided as one of the boundary markers for the Tapuae Marine Reserve after Te Atiawa refused to give up its customary rights to collect kaimoana from the nearby reefs.

Te Atiawa acknowledges the Taranaki Iwi interest in the Herekawe.

Huatoki Stream and tributaries (as shown on deed plan OTS-043-33)

The Huatoki runs through the centre of New Plymouth. The Huatoki springs from the land and heads to the Tasman Sea. At its source it is very narrow but widens as it flows to the sea. The Huatoki is within the rohe of the Ngati Te Whiti Hapu.

The name Huatoki was coined because of the abundance of the titoki tree, which grew, and still grows, along its banks. A product from the titoki tree, oil, was valued for its cosmetic qualities.

The Huatoki was also important for its running freshwater source and mahinga kai, flax, raupo and timber. The food resources along with the kaimoana from nearby reefs provided ample sustenance for and sustained the papakainga along the banks of the Huatoki, papakainga such as Puke Ariki, Te Kawau, Pukaka, Mawhera, Maripu and Okoare. Most of the papakainga existed peacefully with the others and shared nohonga (places to stay) along the banks of the Huatoki, especially in the summer months, to gather and store resources.

The abundance of resources, however, did not prevent the odd dispute. One such dispute remembered today in Korero tawhito was between Te Rangi Apiti Rua of Puke Ariki and of Manu Kino of Waimanu over the latter's piharau fishing rights. This resulted in Te Rangi Apiti Rua's attacking Waimanu in revenge and the people of Waimanu being rescued by Potaka of Nga Puke Turua.

Another battle occurred when Koronereia, ambushed and defeated a taua from a neighbouring iwi who were advancing up the Huatoki. This battle was named pakirikiri because the bodies of the slain resembled pakirikiri, the rock eyed cod.

The banks were a walkway to other papakainga whilst the river was used as a highway to the coast and inland. Several known tauranga waka sites remain today.

During the Land Wars, British soldiers used a track along the Huatoki from Pukaka/Marsland Hill to the centre of town which was named Red Coat Lane.

The Huatoki retains its historic, cultural and traditional value to Te Atiawa who continue to exercise kaitiakitanga over the river and its conservation and aesthetic values.

Kowhangamoku Stream and tributaries (as shown on deed plan OTS-043-34)

The Kowhangamoku is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Kowhangamoku is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Manganui River and tributaries (as shown on deed plan OTS-043-35)

The Manganui springs from Taranaki Maunga and flows into the Waitara. It is in the rohe of Pukerangiora and Otaraia Hapu.

The social, cultural, historical and spiritual importance of the Manganui River is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity and manawhenua.

Mangati Stream and tributaries (as shown on deed plan OTS-043-36)

The Mangati is located at Bell Block and springs from the land and flows to the Tasman Sea. It is within the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of Mangati stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity and manawhenua.

Manu Stream and tributaries (as shown on deed plan OTS-043-37)

The Manu is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Manu Stream illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Motukari Stream and tributaries (as shown on deed plan OTS-043-38)

The Motukari is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the rivers, streams, lakes and waterways is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity and manawhenua.

Onaero River and tributaries (as shown on deed plan OTS-043-22)

Part of the Onaero flows through the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Onaero River is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Parahaki Stream and tributaries (as shown on deed plan OTS-043-39)

The Parahaki is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Parahaki Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Tapuae Stream and tributaries (as shown on deed plan OTS-043-40)

Part of the Tapuae flows through the rohe of Ngati Te Whiti Hapu.

The social, cultural, historical and spiritual importance of the Tapuae River is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Te Henui Stream and tributaries (as shown on deed plan OTS-043-41)

The Te Henui is located in east New Plymouth. It springs from the land and runs to the Tasman Sea. At its source it is very narrow but widens as it flows to the sea. The Te Henui is in the rohe of Ngati Te Whiti Hapu. Te Henui means "the huge mistake" and refers to an incident which is no longer remembered.

The Te Henui was very important because of the abundant resources which sustained the physical and metaphysical needs of the papakainga and communities along its banks, such as Purakau, Autere and Kerau. Autere was also a fishing village from which Hapu would launch their waka and sail to offshore fishing grounds. Fish and kaimoana were collected from the river and the nearby reef, Arakaitai, and these provided staple as well as gourmet foods. Kaimoana and fish were gathered according to strict protocols to ensure sustainability and good health. Kaimoana and gourmet foods were important to uphold customs such as manaakitanga. Although the resources were important for physical survival and customary practises were important, the land was always important for without it the Hapu had nothing.

Further up river were the papakainga of Pukewarangi, Puketarata and Parihamore. These papakainga were located close to each other and shared resources and strategies in times of conflict with other Hapu or Iwi. Pukewarangi and Parihamore were settlements as well as defensive strongholds whilst Puketarata was a settlement which stored food reserves.

Waiau Stream and tributaries (as shown on deed plan OTS-043-42)

The Waiau is located north of Waitara and springs from the land and flows to the Tasman Sea. It is in the rohe of Ngati Rahiri.

The social, cultural, historical and spiritual importance of the Waiau Stream illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Apart from its other important aspects the Waiau is important as a boundary marker between Te Atiawa and Ngati Mutunga. The Te Atiawa northern coastal boundary point, Te Rau O Te Huia, is on the banks of the Waiau.

Waihi Stream and tributaries (as shown on deed plan OTS-043-43)

The Waihi is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of Waihi Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waihowaka Stream and tributaries as shown on deed plan OTS-043-44)

The Waihowaka is located in Bell Block and springs from the land and flows to the Tasman Sea. It is within the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waihowaka Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waiongana Stream and tributaries (as shown on deed plan OTS-043-45)

The Waiongana flows from Taranaki Maunga to the Tasman Sea and is in the rohe Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waiongana Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waipapa Stream and tributaries (as shown on deed plan OTS-043-45)

The Waipapa is located north of Waitara and springs from the land and flows to the Tasman Sea. It is located in the rohe of Ngati Rahiri Hapu.

The social, cultural, historical and spiritual importance of the Waipapa Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waipu Stream and tributaries (as shown on deed plan OTS-043-46)

The Waipu Lagoons are located on the coast and are within the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waipu is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waitaha Stream and tributaries (as shown on deed plan OTS-043-48)

The Waitaha is located in Bell Block and springs from the land and flows to the Tasman Sea. It is in the rohe of Puketapu Hapu.

The social, cultural, historical and spiritual importance of the Waitaha Stream is illustrated through Te Atiawa traditions and histories. The traditions and histories also represent the spiritual links and an unbroken continuity with Te Atiawa tipuna and present generations and reinforce Te Atiawa tribal identity.

Waitara River and tributaries (as shown on deed plan OTS-043-49)

The Waitara River is one of the major rivers in the Te Atiawa rohe and takes its name from the legend of Te Whaitara-nui-a-Wharematangi-i-te-kimi-i-tana-matua-i-a-Ngarue. The Waitara flows through the rohe of the Hapu of Manukorihi, Otaraua, Pukerangiora and Ngati Rahiri.

The Waitara River, unlike other substantial rivers within Taranaki, does not flow directly from Maunga Taranaki but springs from the Manganui River which flows off the mountain and converges with the Waitara River.

The Waitara river mouth was one of the first areas to be settled in Aotearoa and life was sustained here by the abundant resources provided by the reefs and wetlands. There were many kainga and tauranga waka at the mouth of the Waitara and the kainga later became seasonal fishing villages as Te Atiawa spread along and inhabited the entire length of the Waitara River. One of the streams, Mangahinau, was the mooring site for the largest Te Atiawa war waka, Eanganui.

There were many papakainga along the banks of the Waitara, such as Ngangana, Kuikui, Te Whanga, Huirapa, Werohia, Aorangi, Puketapu, Mamaku, Tokitahi, Purimu, Karaka, Te Awaiotetaki, Manukorihi, Pukerangiora, Mangaemiemi / Te Ahikarua, Wakatete, Kerepapaka, Tahunakau, and Taumaatene. The Waitara River provided an abundance of fish, inanga, tuna/eel, piharau, kahawai, yellow eyed mullet, flounder, herrings, kokopu, weka, pukeko, ducks. One of the river's tributaries, the Tangaroa, was an important spawning area for inanga and native fish. The Hapu fished from purpose built platforms and this technique continues today to describe customary fishing locations on the river. Each whakaparu was named and these names remain and continue to be used by Te Atiawa today. The mara / gardens along the river included Te Rore, Mangahinau, Panekeneke, Opakaru, Te Ramarama and Mangaemiemi. The urupaa include Te Rohutu, Manaaiti, Pukehou, Teremutu and Ngangana. The natural defences and height provided by the cliffs provided control of the Waitara River. Aorangi along with Pukekohe and Manukorihi, formed a triangle of strongly defended paa in the valley. In its upper reaches, its cliffs provided defence for Pukerangiora Pa and in one battle many Pukerangiora people jumped from the cliffs into the Waitara River.

The river continues to be, an important resource for mahinga kai. Contemporary uses of the site include cultural harvesting (fish, whitebait) and the site is valued because of its biodiversity and conservation values.

Te Atiawa has a physical, historical and spiritual relationship with the Waitara River. All elements of the natural environment possess a life force, or mauri. This is a critical element of the spiritual relationship of Te Atiawa to the Waitara River which has a spiritual force and personality of its own.

The Waitara River has been, and continues to be an integral part of the social, spiritual and physical fabric of Te Atiawa and is celebrated in karakia, waiata and pepeha.

Waiwhakaiho River and tributaries (as shown on deed plan OTS-043-50)

The Waiwhakaiho River is located in the suburb of Fitzroy, New Plymouth and flows from Taranaki Maunga to the Tasman Sea. It is one of the largest rivers in the Te Atiawa rohe and has several tributaries including the Mangaone and Mangorei. At its mouth today there is a man made waterway, Lake Rotomanu which was created in the 1960s to provide a habitat and refuge for wildlife and is also used for recreational purposes.

The Waiwhakaiho River is the ancient boundary marker between Ngati Te Whiti and Ngati Tawhirikura and is embodied in pepeha and korero tawhito. In former times the Waiwhakaiho River marked the boundary of the rohe of Puketapu, Ngati Tawhirikura and Ngati Te Whiti.

The Waiwhakaiho River was very important because of the abundant resources which sustained the physical and metaphysical needs of the papakainga and communities along its banks, papakainga such as Rewa Rewa, Waiwhakaiho River, Raiomiti, Te Ngaere, Pukemapo, Te Renega, Pukeotepua and Papamoa.

The Waiwhakaiho River mouth, the wetlands and associated water bodies were important because of resources such as raupo, water, ferns, berries, birds, fish, flax and kaimoana. The river fish and whitebait were caught from particular purpose built sites called whakaparu and these remain and continue to be used today.

There were several papakainga on the river from its mouth to further inland. Rewa Rewa was located on a hill above the river mouth and was an ancient paa which, over the generations, housed a large population. Other papakainga along the river were Waiwhakaiho River, Raiomiti, Te Ngaere, Pukemapo, Te Rerenga, Puke O Te Pua and Papamoa. The river was also used as a means of transport to nearby papakainga to trade food and taonga and to maintain whanaungatanga.

The Waiwhakaiho River remains an important river today. Te Atiawa has a physical, historical and spiritual relationship with the Waiwhakaiho River. All elements of the natural environment possess a life force, or mauri. This is a critical element of the spiritual relationship of Te Atiawa to the Waiwhakaiho River which has a spiritual force and personality of its own.

The Waiwhakaiho River has been, and continues to be an integral part of the social, spiritual and physical fabric of Te Atiawa and is celebrated in karakia, waiata and pepeha.

From Herekawe Stream to Onaero River (referred to in clause 5.11.1(rr) of the deed as Te Atiawa Coastal Marine Area (as shown on deed plan OTS-043-51)

This statement describes the Te Atiawa association and values in relation to its coastal marine area.

The Te Atiawa rohe commences from Te Rau O Te Huia, along the coast westward to the Herekawe, inland to Tahuna Tutawa, thence to Whakangeregere, continuing to Taramoukou, thence turning northwards to Te Rau O Te Huia.

The coastal marine area was part of the natural world which encompassed the expanses of Ranginui, the immensity of Papatuanuku, and the vastness of Tangaroa. It was an important part of the tribal rohe and included land, outlets, streams, rivers, lagoons, reefs, beaches and sand hills. Just as hapu exercised mana over the whenua, so it exercised mana over the moana.

The Te Atiawa social, cultural and spiritual relationship with the coastal marine area was very important and is one of long-standing which began with the first Te Atiawa tupuna and has continued through the centuries to the present day. Many of the first settlements in the rohe, such as Nga Motu and the Waitara River, were on the coast. The papakainga was the centre of social, cultural, economic and spiritual wellbeing. Papapakainga such as Puke Ariki, Purakau, Rewa Rewa and Mangati were located on the coast close to the valued resources of water, mahinga kai and kaimoana. The resources sustained and nourished the Iwi and were important to ensure survival and to maintain the spiritual, cultural and economic prosperity of Te Atiawa. The spiritual relationship was embodied in the ideologies, kawa, karakia and tikanga such as rahui. Every reef and lagoon was named and these names remain and the resources are harvested and customary rights continue to be exercised. Examples of the reefs are Papamoa, Tarawhata, Kawaroa, Arakaitai and Mangati. The sites also include urupa and tauranga waka, such as Autere. Te Atiawa has and continues to exercise, its kaitiakitanga on the coastline from the Herekawe to Te Rau O Te Huia.

The cultural and spiritual importance of the coastline and marine area continues to be embodied in waiata pepeha, traditions and histories and continues to underpin the mana and mauri of the Te Atiawa hapu. These ideologies and histories reinforce the connection, tribal identity and continuity between the generations to the present. The statement above illustrates the strong and ongoing Te Atiawa connection and association with the coastal marine area from the Herekawe to Te Rau O Te Huia.

Referenced document

The documents referenced throughout the Plan are listed below, along with the website addresses that provide access to the documents.

Agrichemical application (Rules 56 to 58)

NZS 8409:2004 Management of Agrichemicals

www.standards.co.nz

Growsafe Introductory Manual 2007

www.growsafe.co.nz

Good management practices for intensive pig farming (Rules 47 to 50)

Code of Practice: Piggeries 1992

www.dpi.vic.gov.au

'EnviroPork™ (2005)' and the Environmental Management System

www.pork.co.nz

Odour Management at Intensive Livestock Installations

www.environment-agency.gov.uk/agriculture

Good management practices for intensive poultry farming (Rules 51 to 54)

Odour Management at Intensive Livestock Installations

www.environment-agency.gov.uk/agriculture

Poultry Industry Agreed Standards and Codes of Practice

www.pianz.org.nz

Victoria Code for Broiler Farms 2001

www.dpi.vic.gov.au

Interpretation of noxious, toxic, hazardous, dangerous, offensive and objectionable effects (Section 4.2.3)

Workplace Exposure Standards effective from 2002

www.osh.dol.govt.nz